

**WEDNESDAY, APRIL 6, 2016**

**FIFTY-SIXTH LEGISLATIVE DAY**

The House met at 9:00 a.m. and was called to order by Speaker Pro Tempore Johnson.

The proceedings were opened with prayer by Stan McDaniel, Somerville United Methodist Church, Somerville, TN.

Representative Jenkins led the House in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The roll call was taken with the following results:

Present..... 91

Representatives present were Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Zachary -- 91

**EXCUSED**

The Speaker announced that the following members have been excused, pursuant to requests under **Rule No. 20**:

Representative Lundberg; military service

Representative Spivey; business

Speaker Harwell

**PRESENT IN CHAMBER**

Reps. M. Hill, Powers, Lynn and Womick were recorded as being present in the Chamber.

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**COMMUNICATION**  
**April 6, 2016**

The Honorable William Lamberth  
301 6th Avenue North  
Suite 22 Legislative Plaza  
Nashville, TN 37243

Dear Mr. Chairman:

I have been notified by Governor Haslam that he has appointed J. Ross Dyer to the Court of Criminal Appeals. You are receiving this letter due to your recent appointment as Chairman of the House Ad Hoc Committee on Judicial Confirmation.

I request that the House Ad Hoc Committee for the purpose of the Judicial Confirmation conduct a hearing and issue recommendations as to whether J. Ross Dyer should be confirmed by the Legislature pursuant to Article VI, Section 3 of the Constitution of Tennessee. The House and Senate will then meet in Joint Convention to act on the confirmation.

Thank you for consideration, and thank you for your work on the committee.

Sincerely,

/s/ Beth Harwell  
Speaker of the House  
Tennessee General Assembly

cc: Joe McCord, Chief Clerk of the House

**SPONSORS ADDED**

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Joint Resolution No. 829** Reps. Swann and Carr as prime sponsors.

**House Joint Resolution No. 830** Reps. Carr, Matheny, Forgety, Powers and Holt as prime sponsors.

**House Bill No. 261** Reps. McCormick, Casada, Zachary, Butt, K. Brooks, Moody, Weaver, Williams, Holt, Halford, Sparks and Durham as prime sponsors.

**House Bill No. 857** Reps. Stewart, Clemmons, Terry and Sparks as prime sponsors.

**House Bill No. 929** Reps. Hazlewood, Moody, Smith and Dunn as prime sponsors.

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**House Bill No. 1407** Reps. Mitchell, Zachary, Holsclaw, Weaver, Alexander, H. Brooks, M. White, Halford, Camper, Gilmore, D. White, DeBerry, Love, Akbari, Van Huss, Kumar, Carter, Lollar, Matheny, Smith, Moody, Miller, Powers, Marsh, M. Hill, Jernigan, Armstrong, Keisling, Fitzhugh, Ragan, Stewart, Towns, Butt, Travis, T. Hill, Parkinson, Sparks, Windle, Forgety, Clemmons, C. Sexton, Faison, McManus, Littleton, Kane, Hardaway, Terry, Byrd, Hazlewood, Reedy, Calfee, Lynn, Turner, Hicks, Lamberth, Todd, Johnson, Durham and Shaw as prime sponsors.

**House Bill No. 1550** Rep. Hardaway as prime sponsor.

**House Bill No. 1726** Rep. Zachary as prime sponsor.

**House Bill No. 1799** Reps. Williams, Moody, Zachary, Hardaway, M. White, Ragan, McManus and Hazlewood as prime sponsors.

**House Bill No. 1840** Reps. Durham, Weaver, Alexander, Reedy, Eldridge, Carter, Lynn, Powers, Ragan, Hulse, Jenkins, Lollar, Kumar, Gravitt and Sparks as prime sponsors.

**House Bill No. 2119** Reps. Favors and Hazlewood as prime sponsors.

**House Bill No. 2201** Reps. Zachary and J. Sexton as prime sponsors.

**House Bill No. 2212** Reps. Love, Fitzhugh, Armstrong, Windle, Stewart and Towns as prime sponsors.

**House Bill No. 2248** Rep. Durham as prime sponsor.

**House Bill No. 2256** Rep. Hardaway as prime sponsor.

**House Bill No. 2300** Reps. Love and Powell as prime sponsors.

**House Bill No. 2391** Rep. Hardaway as prime sponsor.

**House Bill No. 2490** Reps. McManus, Hardaway, Camper and Fitzhugh as prime sponsors.

**House Bill No. 2652** Rep. Powers as prime sponsor.

#### **SPONSORS REMOVED**

On motion, Rep. Terry was removed as sponsor of **House Bill No. 2229**.

**ENROLLED BILLS**

**April 5, 2016**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 458, 2037 and 2095; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE**

**April 5, 2016**

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill No. 1533; The Senate nonconcurred in House Amendment No(s). 1

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE**

**April 5, 2016**

MADAM SPEAKER: I am directed to return to the House, House Bill No. 1478; substituted for Senate Bill on same subject, amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE**

**April 5, 2016**

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 676, 678, 689, 690 and 691; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

**\*Senate Joint Resolution No. 676** -- General Assembly, Statement of Intent or Position - Urges the TVA to reject a sunset provision that would require the removal of all floating homes from TVA lakes. by \*Yager, \*McNally.

**\*Senate Joint Resolution No. 678** -- General Assembly, Directed Studies - Directs the Tennessee Commission on Aging and Disability to conduct a study on the financial exploitation of vulnerable adults. by \*Crowe.

**Senate Joint Resolution No. 689** -- Memorials, Recognition - 39th Annual Tennessee State Youth Conference. by \*McNally.

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**Senate Joint Resolution No. 690** -- Memorials, Recognition - Steve E. Moore. by \*Tate.

**Senate Joint Resolution No. 691** -- Memorials, Retirement - Coach Ted Anderson. by \*Tate.

**MESSAGE FROM THE SENATE**

**April 5, 2016**

MADAM SPEAKER: I am directed to return to the House, House Bills Nos. 207, 615, 1416, 1537, 1602, 1686, 1764, 1789, 1872, 2176, 2573 and 2578; substituted for Senate Bills on same subjects and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE**

**April 5, 2016**

MADAM SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 1566, 1615, 2093, 2167, 2240, 2342, 2383, 2634 and 2635; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**\*Senate Bill No. 1566** -- Charitable Solicitations - As introduced, specifies that educational institutions exempt from registering with the division of charitable solicitations, includes institutions that are approved by the local board of education, the ASD, or the state board of education; extends certain renewal of registration filings for an additional 60 days. - Amends TCA Title 48, Chapter 101. by \*Yager. (HB1979 by \*Ramsey, \*Littleton, \*Moody)

**Senate Bill No. 1615** -- Purchasing and Procurement - As introduced, authorizes local governments to enter cooperative purchasing agreements with federal agencies. - Amends TCA Section 12-3-1205. by \*Green. (\*HB1629 by \*Pitts, \*Johnson, \*Reedy)

**\*Senate Bill No. 2093** -- Highways, Roads and Bridges - As introduced, enacts the "Public-Private Transportation Act of 2016." - Amends TCA Title 4; Title 6; Title 9; Title 12; Title 54; Title 55; Title 65 and Title 67. by \*Ketron, \*Yarbro, \*Dickerson, \*Tracy. (HB2407 by \*Sargent, \*McManus, \*Clemmons, \*Powell, \*Stewart, \*Jernigan)

**\*Senate Bill No. 2167** -- Professions and Occupations - As introduced, creates a nine-member task force to make recommendations for statutory changes to allow licensed professionals to operate mobile businesses. - Amends TCA Title 55; Title 62 and Title 68. by \*Tate. (HB2486 by \*Akbari)

**Senate Bill No. 2240** -- Abortion - As introduced, clarifies that the consent required of a woman in order for medical experiments, research, or the taking of photographs upon her aborted fetus must be in writing. - Amends TCA Title 10, Chapter 7, Part 5; Title 39, Chapter 15,

Part 2; Title 63, Chapter 6, Part 2; Title 68, Chapter 3 and Title 68, Chapter 30. by \*Hensley. (\*HB1654 by \*Terry)

**Senate Bill No. 2342** -- Evidence - As introduced, requires biological evidence collected for a case in which the defendant is sentenced to death to be preserved until the defendant's execution or completion of sentence; authorizes the intentional destruction of such biological evidence to be handled as criminal contempt. - Amends TCA Title 39 and Title 40. by \*Dickerson, \*Bell, \*Harris, \*Yarbro. (\*HB2377 by \*Faison, \*Jernigan)

**Senate Bill No. 2383** -- Nurses, Nursing - As introduced, changes terminology from "medication aides certified" to "medication aide"; revises training and other requirements for medication aide program. - Amends TCA Title 63, Chapter 7 and Title 68. by \*Bell. (\*HB2013 by \*Hill M, \*Jernigan)

**Senate Bill No. 2634** -- Aircraft and Airports - As introduced, directs the commissioner of transportation, in consultation with the commissioner of safety, to petition the federal aviation administration for a certificate of authority to operate unmanned aerial systems within the navigable airspace of each of the grand divisions of the state; enacts other provisions regarding unmanned aerial systems. - Amends TCA Title 4, Chapter 3; Title 39; Title 42; Title 49; Title 54; Title 55 and Title 70. by \*Green. (\*HB2607 by \*Sparks)

**Senate Bill No. 2635** -- Education - As introduced, requires an LEA to screen K-2 students for dyslexia with a program provided by the department of education; creates the dyslexia advisory council. - Amends TCA Title 4, Chapter 29, Part 2 and Title 49, Chapter 1, Part 2. by \*Gresham, \*Gardenhire, \*Tracy, \*Green, \*Massey. (\*HB2616 by \*Pitts, \*Keisling, \*Brooks K, \*Shaw, \*White M, \*Moody, \*Byrd, \*Love, \*Dunn, \*Brooks H, \*Goins, \*Lynn, \*Dunlap, \*Rogers, \*Reedy, \*DeBerry, \*Akbari, \*Cooper, \*Camper)

**MESSAGE FROM THE SENATE**

**April 5, 2016**

MADAM SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 481, 500, 717, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747 and 748; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**ENROLLED BILLS**

**April 5, 2016**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 207, 615, 1416, 1537, 1602, 1686, 1764, 1789, 1872, 2176, 2573 and 2578; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Chief Engrossing Clerk

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**ENROLLED BILLS**

**April 5, 2016**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolutions Nos. 481, 500, 717, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747 and 748; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Chief Engrossing Clerk

**SIGNED**

**April 5, 2016**

The Speaker announced that she had signed the following: House Joint Resolutions Nos. 481, 500, 717, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747 and 748.

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE**

**April 6, 2016**

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 672, 692, 693, 695 and 696; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

**Senate Joint Resolution No. 672** -- Memorials, Recognition - Karen Peterson Brukardt. by \*Hensley.

**Senate Joint Resolution No. 692** -- Memorials, Recognition - Brad Paisley. by \*Johnson.

**Senate Joint Resolution No. 693** -- Memorials, Retirement - Daryl Blair. by \*Bailey.

**Senate Joint Resolution No. 695** -- Memorials, Death - Carmon E. Dugger, Sr. by \*Crowe.

**Senate Joint Resolution No. 696** -- Memorials, Sports - Chuckey-Doak High School varsity cheerleaders, Universal Spirit All-Star Prep Nationals competitors. by \*Southerland.

**PERSONAL ORDERS**

**RECOGNITION IN THE WELL**

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Representative Wirgau was recognized in the Well to honor the World's Largest Fish Fry Hostess Princess and Court.

**RESOLUTION READ**

The Clerk read House Joint Resolution No. 684, adopted March 21, 2016.

**House Joint Resolution No. 684** -- Memorials, Recognition - World's Biggest Fish Fry 2016 Hostess Princess Royalty. by \*Wirgau.

**RECOGNITION IN THE WELL**

Representative Beck was recognized in the Well to honor East Nashville Magnet School Ladies Eagles basketball team.

**RESOLUTION READ**

The Clerk read House Joint Resolution No. 759, adopted March 21, 2016.

**House Joint Resolution No. 759** -- Memorials, Sports - East Nashville Magnet School Lady Eagles, TSSAA Class AA state champions. by \*Beck, \*Love.

**RECOGNITION IN THE WELL**

Representative McDaniel was recognized in the Well to honor Remembering WWII and the Courter family.

**RESOLUTION READ**

The Clerk read House Joint Resolution No. 716, adopted March 24, 2016.

**House Joint Resolution No. 716** -- Memorials, Recognition - Remembering WWII and the Courter family. by \*McDaniel.

**RESOLUTIONS**

Pursuant to **Rule No. 17**, the following resolutions were introduced and placed on the Consent Calendar for April 7, 2016:

**House Resolution No. 245** -- Memorials, Interns - Matthew Bodkins. by \*Jernigan, \*Windle, \*Beck.

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**House Resolution No. 247** -- Memorials, Academic Achievement - Maria Aguirre, Salutatorian, Oakhaven High School. by \*Towns.

**House Resolution No. 248** -- Memorials, Academic Achievement - Julie Cao, Valedictorian, Oakhaven High School. by \*Towns.

**House Resolution No. 250** -- Memorials, Interns - Taylor Ryan Tullos. by \*Harwell.

**House Resolution No. 251** -- Memorials, Interns - Elizabeth Ashley Clayborne. by \*Miller, \*Cooper.

**House Resolution No. 253** -- Memorials, Personal Occasion - Don and Ann Reeves, 60th anniversary. by \*Jernigan.

**House Joint Resolution No. 835** -- Memorials, Academic Achievement - Brianna Schock, Salutatorian, Lebanon High School. by \*Pody.

**House Joint Resolution No. 836** -- Memorials, Academic Achievement - Alexis Bazydola, Valedictorian, Lebanon High School. by \*Pody.

**House Joint Resolution No. 837** -- Memorials, Sports - Nashville Central Christian Warriors boys' basketball team, 2016 National Christian Homeschool Basketball Champions. by \*Pody.

**House Joint Resolution No. 838** -- Memorials, Retirement - Don Hamblen. by \*Pody.

**House Joint Resolution No. 840** -- Memorials, Professional Achievement - Ladia Yates. by \*Parkinson.

**House Joint Resolution No. 841** -- Memorials, Professional Achievement - Sherkenna Buggs. by \*Parkinson.

**House Joint Resolution No. 842** -- Memorials, Academic Achievement - Kelian Ortiz-Saucedo, Valedictorian, Douglass High School. by \*Parkinson.

**House Joint Resolution No. 843** -- Memorials, Academic Achievement - Perla Mena, Salutatorian, Douglass High School. by \*Parkinson.

**House Joint Resolution No. 844** -- Memorials, Sports - Coach Mack Hawks of Oakland High School. by \*Terry.

**House Joint Resolution No. 845** -- Memorials, Academic Achievement - Serena Campeau, Valedictorian, Mount Juliet Christian Academy. by \*Lynn.

**House Joint Resolution No. 846** -- Memorials, Academic Achievement - Carly Hummel, Salutatorian, Mt. Juliet Christian Academy. by \*Lynn.

**House Joint Resolution No. 847** -- Memorials, Academic Achievement - Morgan Morris, Valedictorian, Craigmont High School. by \*Parkinson.

**House Joint Resolution No. 848** -- Memorials, Academic Achievement - Daja Scurlock, Salutatorian, Craigmont High School. by \*Parkinson.

**House Joint Resolution No. 849** -- Memorials, Academic Achievement - Shelby Wilbanks, Top Ten Senior, Collinwood High School. by \*Byrd.

**House Joint Resolution No. 850** -- Memorials, Interns - Kevin DeWalt, Jr. by \*Towns.

**House Joint Resolution No. 852** -- Memorials, Public Service - Julius Johnson, Commissioner of Agriculture. by \*Harwell, \*Halford.

**House Joint Resolution No. 853** -- Memorials, Retirement - Mary Sanders. by \*Dunlap, \*Matheny, \*Pitts.

**House Joint Resolution No. 854** -- Memorials, Retirement - Betty Wood. by \*Dunlap, \*Matheny, \*Pitts.

**House Joint Resolution No. 855** -- Memorials, Retirement - Joye Fuston. by \*Dunlap, \*Matheny, \*Pitts.

**House Joint Resolution No. 856** -- Memorials, Death - Cory Wells. by \*Kane, \*Eldridge.

**House Joint Resolution No. 857** -- Memorials, Death - Jimmy Greenspoon. by \*Kane, \*Eldridge.

**House Joint Resolution No. 858** -- Memorials, Sports - Robert Miller, Special Olympics Athlete chosen to participate on Team USA. by \*Hicks.

**House Joint Resolution No. 859** -- Memorials, Academic Achievement - Parth Harshadkumar Patel, Top 25 Senior, Cherokee High School. by \*Hicks.

**House Joint Resolution No. 860** -- Memorials, Academic Achievement - Dakota D. Ward, Top 25 Senior, Cherokee High School. by \*Hicks.

**House Joint Resolution No. 861** -- Memorials, Academic Achievement - Conner Powell, Top 25 Senior, Cherokee High School. by \*Hicks.

**House Joint Resolution No. 862** -- Memorials, Academic Achievement - Caleb Michael McBride, Top 25 Senior, Cherokee High School. by \*Hicks.

**House Joint Resolution No. 863** -- Memorials, Academic Achievement - Jack Bevill, Top 25 Senior, Cherokee High School. by \*Hicks.

**House Joint Resolution No. 864** -- Memorials, Academic Achievement - Thomas Evan Carney III, Top 25 Senior, Cherokee High School. by \*Hicks.

**WEDNESDAY, APRIL 6, 2016 – FIFTY-SIXTH LEGISLATIVE DAY UNOFFICIAL VERSION**

**House Joint Resolution No. 865** -- Memorials, Academic Achievement - Gabriel Ellison, Top 25 Senior, Cherokee High School. by \*Hicks.

**House Joint Resolution No. 866** -- Memorials, Academic Achievement - Teagan Trent, Top 25 Senior, Cherokee High School. by \*Hicks.

**House Joint Resolution No. 867** -- Memorials, Academic Achievement - Tanner Graves, Top 25 Senior, Cherokee High School. by \*Hicks.

**House Joint Resolution No. 868** -- Memorials, Academic Achievement - Garrett Carter, Top 25 Senior, Cherokee High School. by \*Hicks.

**House Joint Resolution No. 869** -- Memorials, Academic Achievement - Nicholas Karig, Top 25 Senior, Cherokee High School. by \*Hicks.

**House Joint Resolution No. 870** -- Memorials, Academic Achievement - Carson Gabrielle Sievers, Top 25 Senior, Cherokee High School. by \*Hicks.

**House Joint Resolution No. 871** -- Memorials, Academic Achievement - Sydney Elizabeth Phillips, Top 25 Senior, Cherokee High School. by \*Hicks.

**House Joint Resolution No. 872** -- Memorials, Academic Achievement - Miranda Vanette Evans, Top 25 Senior, Cherokee High School. by \*Hicks.

**House Joint Resolution No. 873** -- Memorials, Academic Achievement - Madison Livesay, Top 25 Senior, Cherokee High School. by \*Hicks.

**House Joint Resolution No. 874** -- Memorials, Academic Achievement - Rebecca Kinsler, Top 25 Senior, Cherokee High School. by \*Hicks.

**House Joint Resolution No. 875** -- Memorials, Academic Achievement - Madison Andrews, Top 25 Senior, Cherokee High School. by \*Hicks.

**House Joint Resolution No. 876** -- Memorials, Academic Achievement - Madison Denny, Top 25 Senior, Cherokee High School. by \*Hicks.

**House Joint Resolution No. 877** -- Memorials, Academic Achievement - Natalie Brooks, Top 25 Senior, Cherokee High School. by \*Hicks.

**House Joint Resolution No. 878** -- Memorials, Academic Achievement - Erika Hale, Top 25 Senior, Cherokee High School. by \*Hicks.

**House Joint Resolution No. 879** -- Memorials, Academic Achievement - Kyleigh Ferguson, Top 25 Senior, Cherokee High School. by \*Hicks.

**House Joint Resolution No. 880** -- Memorials, Academic Achievement - Alissa Jackson, Top 25 Senior, Cherokee High School. by \*Hicks.

**House Joint Resolution No. 881** -- Memorials, Academic Achievement - Brooke Bailey, Top 25 Senior, Cherokee High School. by \*Hicks.

**House Joint Resolution No. 882** -- Memorials, Academic Achievement - Macy Osborne, Top 25 Senior, Cherokee High School. by \*Hicks.

**House Joint Resolution No. 883** -- Memorials, Academic Achievement - Sarah-Kathryn Loudy, Top 25 Senior, Cherokee High School. by \*Hicks.

**House Joint Resolution No. 884** -- Memorials, Academic Achievement - Logan Malicoat, Valedictorian, Rockwood High School. by \*Travis.

**House Joint Resolution No. 885** -- Memorials, Academic Achievement - Wester Hicks, Valedictorian, Rockwood High School. by \*Travis.

**House Joint Resolution No. 886** -- Memorials, Academic Achievement - Lindsey Lively, Salutatorian, Bledsoe County High School. by \*Travis.

**House Joint Resolution No. 887** -- Memorials, Academic Achievement - Alexis Karlie Harvey, Salutatorian, Sequatchie County High School. by \*Travis.

**House Joint Resolution No. 888** -- Memorials, Academic Achievement - Brelyn Chase Grant, Valedictorian, Sequatchie County High School. by \*Travis.

**House Joint Resolution No. 889** -- Memorials, Academic Achievement - Peyton White, Valedictorian, Bledsoe County High School. by \*Travis.

**SENATE JOINT RESOLUTIONS  
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolutions listed were noted as being placed on the Consent Calendar for April 7, 2016:

**Senate Joint Resolution No. 672** -- Memorials, Recognition - Karen Peterson Brukart. by \*Hensley.

**Senate Joint Resolution No. 689** -- Memorials, Recognition - 39th Annual Tennessee State Youth Conference. by \*McNally.

**Senate Joint Resolution No. 690** -- Memorials, Recognition - Steve E. Moore. by \*Tate.

**Senate Joint Resolution No. 691** -- Memorials, Retirement - Coach Ted Anderson. by \*Tate.

**Senate Joint Resolution No. 692** -- Memorials, Recognition - Brad Paisley. by \*Johnson.

**Senate Joint Resolution No. 693** -- Memorials, Retirement - Daryl Blair. by \*Bailey.

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**Senate Joint Resolution No. 695** -- Memorials, Death - Carmon E. Dugger, Sr. by \*Crowe.

**Senate Joint Resolution No. 696** -- Memorials, Sports - Chuckey-Doak High School varsity cheerleaders, Universal Spirit All-Star Prep Nationals competitors. by \*Southerland.

### INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

**House Bill No. 2664** -- Alexandria - As introduced, subject to local approval, moves the date of the city election to coincide with the August general county election; extends the four-year terms of office of the mayor and council members elected at the regular city elections held in September 2013 and September 2015 that are set to expire in 2017 and 2019, respectively. - Amends Chapter 31 of the Private Acts of 2009. by \*Weaver.

**House Bill No. 2665** -- Baxter - As introduced, subject to local approval, abolishes office of city recorder; authorizes board to set city judge's compensation above \$100 per month. - Amends Chapter 35 of the Private Acts of 1915; as amended. by \*Williams.

### SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

**\*Senate Bill No. 1566** -- Charitable Solicitations - As introduced, specifies that educational institutions exempt from registering with the division of charitable solicitations, includes institutions that are approved by the local board of education, the ASD, or the state board of education; extends certain renewal of registration filings for an additional 60 days. - Amends TCA Title 48, Chapter 101. by \*Yager. (HB1979 by \*Ramsey, \*Littleton, \*Moody)

**Senate Bill No. 1615** -- Purchasing and Procurement - As introduced, authorizes local governments to enter cooperative purchasing agreements with federal agencies. - Amends TCA Section 12-3-1205. by \*Green. (\*HB1629 by \*Pitts, \*Johnson, \*Reedy)

**\*Senate Bill No. 2093** -- Highways, Roads and Bridges - As introduced, enacts the "Public-Private Transportation Act of 2016." - Amends TCA Title 4; Title 6; Title 9; Title 12; Title 54; Title 55; Title 65 and Title 67. by \*Ketron, \*Yarbro, \*Dickerson, \*Tracy. (HB2407 by \*Sargent, \*McManus, \*Clemmons, \*Powell, \*Stewart, \*Jernigan)

**\*Senate Bill No. 2167** -- Professions and Occupations - As introduced, creates a nine-member task force to make recommendations for statutory changes to allow licensed

professionals to operate mobile businesses. - Amends TCA Title 55; Title 62 and Title 68. by \*Tate. (HB2486 by \*Akbari)

**Senate Bill No. 2240** -- Abortion - As introduced, clarifies that the consent required of a woman in order for medical experiments, research, or the taking of photographs upon her aborted fetus must be in writing. - Amends TCA Title 10, Chapter 7, Part 5; Title 39, Chapter 15, Part 2; Title 63, Chapter 6, Part 2; Title 68, Chapter 3 and Title 68, Chapter 30. by \*Hensley. (\*HB1654 by \*Terry)

**Senate Bill No. 2342** -- Evidence - As introduced, requires biological evidence collected for a case in which the defendant is sentenced to death to be preserved until the defendant's execution or completion of sentence; authorizes the intentional destruction of such biological evidence to be handled as criminal contempt. - Amends TCA Title 39 and Title 40. by \*Dickerson, \*Bell, \*Harris, \*Yarbro. (\*HB2377 by \*Faison, \*Jernigan)

**Senate Bill No. 2383** -- Nurses, Nursing - As introduced, changes terminology from "medication aides certified" to "medication aide"; revises training and other requirements for medication aide program. - Amends TCA Title 63, Chapter 7 and Title 68. by \*Bell. (\*HB2013 by \*Hill M, \*Jernigan)

**Senate Bill No. 2634** -- Aircraft and Airports - As introduced, directs the commissioner of transportation, in consultation with the commissioner of safety, to petition the federal aviation administration for a certificate of authority to operate unmanned aerial systems within the navigable airspace of each of the grand divisions of the state; enacts other provisions regarding unmanned aerial systems. - Amends TCA Title 4, Chapter 3; Title 39; Title 42; Title 49; Title 54; Title 55 and Title 70. by \*Green. (\*HB2607 by \*Sparks)

**Senate Bill No. 2635** -- Education - As introduced, requires an LEA to screen K-2 students for dyslexia with a program provided by the department of education; creates the dyslexia advisory council. - Amends TCA Title 4, Chapter 29, Part 2 and Title 49, Chapter 1, Part 2. by \*Gresham, \*Gardenhire, \*Tracy, \*Green, \*Massey. (\*HB2616 by \*Pitts, \*Keisling, \*Brooks K, \*Shaw, \*White M, \*Moody, \*Byrd, \*Love, \*Dunn, \*Brooks H, \*Goins, \*Lynn, \*Dunlap, \*Rogers, \*Reedy, \*DeBerry, \*Akbari, \*Cooper, \*Camper)

## **HOUSE BILLS ON SECOND CONSIDERATION**

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

**\*House Bill No. 2662** -- Jackson County -- House Local Government Committee

**House Bill No. 2663** -- Scott County -- House Local Government Committee

## **REPORTS FROM STANDING COMMITTEES**

The committees that met on **April 5, 2016**, reported the following:

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**BUSINESS AND UTILITIES COMMITTEE**

The Business and Utilities Committee recommended that the following be referred to the Finance, Ways and Means Committee: House Bill No. 1726. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

The Committee also transmitted the following to the Government Operations Committee for review: House Bill No. 2201 with amendments.

**FINANCE, WAYS AND MEANS COMMITTEE**

The Finance, Ways & Means Committee recommended for passage: House Bills Nos. 1471, 1664, 710, 2436, 1121, 2486, 2493, 1979, 2009, 1712, 1689, 2103, 1470, 2145, 2228, 2520, 1735, 2439 and 1503, also House Bills Nos. 1843, 2574, 879 and 2579 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

**LOCAL GOVERNMENT COMMITTEE**

The Local Government Committee recommended for passage: House Bills Nos. 2659, 2658, 2660, 2655, 2648, 2654, 2661, 2639, 2656 and 2657. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bills Nos. 2040 and 1410, also House Bill No. 2156 and Senate Bill No. 396 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

**STATE GOVERNMENT COMMITTEE**

The State Government Committee recommended for passage: House Bill No. 876 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill No. 2192, also House Bill No. 726 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

**REPORTS FROM STANDING COMMITTEES**

The committees that met on **April 6, 2016**, reported the following:

**CRIMINAL JUSTICE COMMITTEE**

The Criminal Justice Committee recommended for passage: House Bills Nos. 2144 and 2412, also House Bills Nos. 2102 and 2374 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

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It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bills Nos. 1458, 2091 and 2089 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

The Committee also transmitted the following to the Government Operations Committee for review: House Bills Nos. 2571 and 1824.

### **EDUCATION ADMINISTRATION AND PLANNING COMMITTEE**

The Education Administration & Planning Committee recommended for passage: House Bill No. 2426. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bills Nos. 1751, 1736 and 2414 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

### **HEALTH COMMITTEE**

The Health Committee recommended for passage: House Bill No. 1252, also House Bill No. 1100 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill No. 1730 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

### **DELAYED BILLS REFERRED**

**April 5, 2016**

Pursuant to **Rule No. 77**, House Joint Resolution No. 839, Senate Joint Resolutions Nos. 676 and 678 were referred to the Delayed Bills Committee.

**House Joint Resolution No. 839** -- General Assembly, Statement of Intent or Position - Urges state and local governmental agencies to enhance access to mental health services in the criminal justice system. by \*Turner

**Senate Joint Resolution No. 676** -- General Assembly, Statement of Intent or Position - Urges the TVA to reject a sunset provision that would require the removal of all floating homes from TVA lakes. by \*Yager, McNally

**Senate Joint Resolution No. 678** -- General Assembly, Directed Studies - Directs the Tennessee Commission on Aging and Disability to conduct a study on the financial exploitation of vulnerable adults. by \*Crowe

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**DELAYED BILLS REFERRED**  
**April 6, 2016**

Pursuant to **Rule No. 77**, House Resolution No. 252 was referred to the Delayed Bills Committee.

**House Resolution No. 252** -- General Assembly, Statement of Intent or Position - Requests that the secretary of the navy name the next commissioned naval ship the "USS Chattanooga" in honor of the victims of the July 16, 2015, terrorist attacks. by \*Hazlewood

**CONSENT CALENDAR**

**House Resolution No. 241** -- Memorials, Interns - Tahje Clark. by \*Faison.

**House Resolution No. 242** -- Memorials, Recognition - Mary B. Conner. by \*Cooper.

**House Resolution No. 243** -- Memorials, Retirement - David Horvat. by \*Ramsey.

**House Resolution No. 244** -- Memorials, Retirement - Sylvia Humphrey Givens. by \*Shepard, \*Butt.

**House Joint Resolution No. 775** -- Memorials, Personal Achievement - Gay Webb, Love Where You Live Award. by \*Faison.

**House Joint Resolution No. 776** -- Memorials, Recognition - April 2016, "Autism Awareness Month" in Tennessee. by \*Byrd.

**House Joint Resolution No. 777** -- Memorials, Retirement - Audrey Bowling. by \*Byrd.

**House Joint Resolution No. 778** -- Memorials, Academic Achievement - Andrew Couchoud, Top Ten Senior, Frank Hughes High School. by \*Byrd.

**House Joint Resolution No. 779** -- Memorials, Academic Achievement - Julianne Blackburn, Top Ten Senior, Frank Hughes High School. by \*Byrd.

**House Joint Resolution No. 780** -- Memorials, Academic Achievement - Lylah Riley, Top Ten Senior, Frank Hughes High School. by \*Byrd.

**House Joint Resolution No. 781** -- Memorials, Academic Achievement - China McFall, Top Ten Senior, Frank Hughes High School. by \*Byrd.

**House Joint Resolution No. 782** -- Memorials, Academic Achievement - Paige Churchwell, Top Ten Senior, Frank Hughes High School. by \*Byrd.

**House Joint Resolution No. 783** -- Memorials, Academic Achievement - Jonathan Pope, Top Ten Senior, Frank Hughes High School. by \*Byrd.

**House Joint Resolution No. 784** -- Memorials, Academic Achievement - Gabriel Lang, Top Ten Senior, Frank Hughes High School. by \*Byrd.

**House Joint Resolution No. 785** -- Memorials, Academic Achievement - Riley Brashier, Top Ten Senior, Frank Hughes High School. by \*Byrd.

**House Joint Resolution No. 786** -- Memorials, Academic Achievement - Weston Davis, Top Ten Senior, Frank Hughes High School. by \*Byrd.

**House Joint Resolution No. 787** -- Memorials, Academic Achievement - Daniel Couchoud, Top Ten Senior, Frank Hughes High School. by \*Byrd.

**House Joint Resolution No. 788** -- Memorials, Academic Achievement - Raven Lee Minyard, Top Ten, Lewis County High School. by \*Byrd.

**House Joint Resolution No. 789** -- Memorials, Academic Achievement - Olivia Pearl Cardenas, Top Ten, Lewis County High School. by \*Byrd.

**House Joint Resolution No. 790** -- Memorials, Academic Achievement - Alison Brooke Moore, Top Ten, Lewis County High School. by \*Byrd.

**House Joint Resolution No. 791** -- Memorials, Academic Achievement - Carrie Dawn Runions, Top Ten, Lewis County High School. by \*Byrd.

**House Joint Resolution No. 792** -- Memorials, Academic Achievement - Lauren Nicole Thomas, Top Ten, Lewis County High School. by \*Byrd.

**House Joint Resolution No. 793** -- Memorials, Academic Achievement - Lexie Anne Carroll, Top Ten Senior, Lewis County High School. by \*Byrd.

**House Joint Resolution No. 794** -- Memorials, Academic Achievement - Malia Grace Bennett, Top Ten Senior, Lewis County High School. by \*Byrd.

**House Joint Resolution No. 795** -- Memorials, Academic Achievement - Savanna Lee Collie, Top Ten Senior, Lewis County High School. by \*Byrd.

**House Joint Resolution No. 796** -- Memorials, Academic Achievement - Anna Grace Brewer, Top Ten Senior, Lewis County High School. by \*Byrd.

**House Joint Resolution No. 797** -- Memorials, Academic Achievement - Michael Robert James Butler, Top Ten Senior, Lewis County High School. by \*Byrd.

**House Joint Resolution No. 798** -- Memorials, Academic Achievement - Kristin Beth Caperton, Top Ten Senior, Summertown High School. by \*Byrd.

**House Joint Resolution No. 799** -- Memorials, Academic Achievement - Dezarae Suzanna Clark, Top Ten Senior, Summertown High School. by \*Byrd.

**House Joint Resolution No. 800** -- Memorials, Academic Achievement - Ashley Nichole Wilson, Top Ten Senior, Summertown High School. by \*Byrd.

**House Joint Resolution No. 801** -- Memorials, Academic Achievement - Emma Kate Darnell, Top Ten Senior, Summertown High School. by \*Byrd.

**House Joint Resolution No. 802** -- Memorials, Academic Achievement - Ann-Katherine Lee Gobble, Top Ten Senior, Summertown High School. by \*Byrd.

**House Joint Resolution No. 803** -- Memorials, Academic Achievement - Dylan Blake Self, Top Ten Senior, Summertown High School. by \*Byrd.

**House Joint Resolution No. 804** -- Memorials, Academic Achievement - Raegan Nicole Hannah, Top Ten Senior, Summertown High School. by \*Byrd.

**House Joint Resolution No. 805** -- Memorials, Academic Achievement - Morgan Rose Phillips, Top Ten Senior, Summertown High School. by \*Byrd.

**House Joint Resolution No. 806** -- Memorials, Academic Achievement - Maria Claire Kertiens, Top Ten Senior, Summertown High School. by \*Byrd.

**House Joint Resolution No. 807** -- Memorials, Academic Achievement - Rainey Lea Ibbotson, Top Ten Senior, Summertown High School. by \*Byrd.

**House Joint Resolution No. 808** -- Memorials, Academic Achievement - Benjamin Hanback, Top Ten Senior, Collinwood High School. by \*Byrd.

**House Joint Resolution No. 809** -- Memorials, Academic Achievement - Christian Weaver, Top Ten Senior, Collinwood High School. by \*Byrd.

**House Joint Resolution No. 810** -- Memorials, Academic Achievement - Christian Weaver, Top Ten Senior, Collinwood High School. by \*Byrd.

**House Joint Resolution No. 811** -- Memorials, Academic Achievement - Charlee Pigg, Top Ten Senior, Collinwood High School. by \*Byrd.

**House Joint Resolution No. 812** -- Memorials, Academic Achievement - Taylor Lard, Top Ten Senior, Collinwood High School. by \*Byrd.

**House Joint Resolution No. 813** -- Memorials, Academic Achievement - Emily Haddock, Top Ten Senior, Collinwood High School. by \*Byrd.

**House Joint Resolution No. 814** -- Memorials, Academic Achievement - Lakelyn Reed, Top Ten Senior, Collinwood High School. by \*Byrd.

**House Joint Resolution No. 815** -- Memorials, Academic Achievement - Stacie Kelley, Top Ten Senior, Collinwood High School. by \*Byrd.

**House Joint Resolution No. 816** -- Memorials, Academic Achievement - Kaden Reaves, Top Ten Senior, Collinwood High School. by \*Byrd.

**House Joint Resolution No. 817** -- Memorials, Academic Achievement - McKinley Heard, Top Ten Senior, Collinwood High School. by \*Byrd.

**House Joint Resolution No. 818** -- Memorials, Academic Achievement - Kelsi Cole, Top Ten Senior, Wayne County High School. by \*Byrd.

**House Joint Resolution No. 819** -- Memorials, Academic Achievement - Ben Dollar, Top Ten Senior, Wayne County High School. by \*Byrd.

**House Joint Resolution No. 820** -- Memorials, Academic Achievement - Maranda Keeton, Top Ten Senior, Wayne County High School. by \*Byrd.

**House Joint Resolution No. 821** -- Memorials, Academic Achievement - Jacquelyn Downs, Top Ten Senior, Wayne County High School. by \*Byrd.

**House Joint Resolution No. 822** -- Memorials, Academic Achievement - Rachel Odle, Top Ten Senior, Wayne County High School. by \*Byrd.

**House Joint Resolution No. 823** -- Memorials, Academic Achievement - Caitlyn Cole, Top Ten Senior, Wayne County High School. by \*Byrd.

**House Joint Resolution No. 824** -- Memorials, Academic Achievement - Riley Sanders, Top Ten Senior, Wayne County High School. by \*Byrd.

**House Joint Resolution No. 825** -- Memorials, Academic Achievement - Shelby Rios, Top Ten Senior, Wayne County High School. by \*Byrd.

**House Joint Resolution No. 826** -- Memorials, Academic Achievement - Tiffanie Maze, Top Ten Senior, Wayne County High School. by \*Byrd.

**House Joint Resolution No. 827** -- Memorials, Academic Achievement - Courtney Rees, Top Ten Senior, Wayne County High School. by \*Byrd.

**House Joint Resolution No. 828** -- Memorials, Interns - John William Gleason III. by \*Forgety.

**House Joint Resolution No. 829** -- Memorials, Recognition - Senator Doug Overbey. by \*Ramsey.

**House Joint Resolution No. 830** -- Memorials, Recognition - National Auctioneers Day, April 16, 2016. by \*Wirgau.

**House Joint Resolution No. 832** -- Memorials, Professional Achievement - Ella Tarwater, Sevier County Education Hall of Fame. by \*Carr , \*Farmer.

**House Joint Resolution No. 833** -- Memorials, Professional Achievement - Shirley Ely, Sevier County Education Hall of Fame. by \*Carr , \*Farmer.

**House Joint Resolution No. 834** -- Memorials, Professional Achievement - Lucille Ogle Shults, Sevier County Education Hall of Fame. by \*Carr , \*Farmer.

Rep. Ramsey moved that all members voting aye on House Resolution No. 243 and House Joint Resolution No. 829 be added as co-prime sponsors, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Reps. Butt, Holt, Pody, Ragan and Womick.

Pursuant to **Rule No. 50**, Rep. Dunn moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes .....	94
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary -- 94

A motion to reconsider was tabled.

## REGULAR CALENDAR

**House Joint Resolution No. 718** -- Memorials, Death - Zaevion Dobson. by \*Smith, \*Armstrong, \*Brooks H, \*Kane, \*Zachary, \*Dunn, \*Daniel, \*Matlock.

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Further consideration of House Joint Resolution No. 718, previously considered on the Consent Calendar for March 28, 2016, at which time it was objected to and it was considered on March 30, 2016, at which time it was reset for today's Calendar.

Rep. Smith moved that **House Joint Resolution No. 718** be reset for the Regular Calendar on April 7, 2016, which motion prevailed.

**House Bill No. 1840** -- Mental Health & Substance Abuse Services, Dept. of - As introduced, declares that no person providing counseling or therapy services shall be required to counsel or serve a client as to goals, outcomes, or behaviors that conflict with a sincerely held religious belief of the counselor or therapist. - Amends TCA Title 4; Title 49 and Title 63. by \*Howell, \*Rogers, \*Sexton J, \*Byrd, \*Butt, \*Zachary, \*Brooks K, \*Sexton C, \*Weaver. (\*SB1556 by \*Johnson, \*Bowling)

On motion, House Bill No. 1840 was made to conform with **Senate Bill No. 1556**; the Senate Bill was substituted for the House Bill.

Rep. Howell moved that Senate Bill No. 1556 be passed on third and final consideration.

Rep. C. Sexton moved adoption of Health Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND Senate Bill No. 1556 by deleting all language after the enacting clause and substituting instead the following:  
SECTION 1. Tennessee Code Annotated, Title 63, Chapter 22, is amended by adding the following new part:

(a) No counselor or therapist providing counseling or therapy services shall be required to counsel or serve a client as to goals, outcomes, or behaviors that conflict with the sincerely held principles of the counselor or therapist; provided, that the counselor or therapist coordinates a referral of the client to another counselor or therapist who will provide the counseling or therapy.

(b) The refusal to provide counseling or therapy services as described in subsection (a) shall not be the basis for:

(1) A civil cause of action; or

(2) Criminal prosecution.

(c) For purposes of this section, "counseling or therapy services" means assisting an individual, who is seeking or engaged in the counseling relationship in a private practice setting, in a manner intended to facilitate normal human growth and development, using a combination of mental health and human development principles, methods, and techniques, to achieve mental, emotional,

physical, social, moral, educational, spiritual, or career development and adjustment throughout the individual's life span.

(d) Subsections (a) and (b) shall not apply to a counselor or therapist when an individual seeking or undergoing counseling is in imminent danger of harming themselves or others.

SECTION 2. Tennessee Code Annotated, Section 63-22-110(b)(3), is amended by adding the following language after the language "board;":

, except that a violation of A.11.b of the 2014 American Counseling Association Code of Ethics, or any similar or successor provision, shall not be grounds upon which the board shall exercise its powers pursuant to subsection (a); provided, however, that a violation of A.11.b shall be a ground for the board to exercise these powers in cases involving an individual seeking or undergoing counseling where the individual was in imminent danger of harming themselves or others;

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Health Committee Amendment No. 1 was adopted.

Rep. Clemmons moved adoption of House Amendment No. 2 as follows:

**Amendment No. 2**

AMEND Senate Bill No. 1556 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 63, Chapter 22, is amended by adding the following new part:

(a) No counselor or therapist providing counseling or therapy services shall be required to counsel or serve a client as to goals, outcomes, or behaviors that the counselor lacks the competence to address; provided, that the counselor or therapist coordinates a referral of the client to another counselor or therapist who will provide the counseling or therapy. Lack of competency shall include any therapeutic issue in which the counselor or therapist feels the counselor or therapist lacks adequate training.

(b) The refusal to provide counseling or therapy services as described in subsection (a) shall not be the basis for:

(1) A civil cause of action; or

(2) Criminal prosecution.

(c) For purposes of this section, "counseling or therapy services" means assisting an individual, who is seeking or engaged in the counseling relationship in a manner intended to facilitate normal human growth and development, using a combination of mental health and human development principles, methods, and techniques, to achieve mental, emotional, physical, social, moral, educational, spiritual, or career development and adjustment throughout the life span.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

Rep. Casada moved the previous question on House Amendment No. 2 , which motion prevailed by the following vote:

Ayes .....	69
Noes.....	23

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Coley, Daniel, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Forgety, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill T., Holsclaw, Holt, Hulsey, Jenkins, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Moody, Pody, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Smith, Sparks, Swann, Terry, Todd, Travis, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary -- 69

Representatives voting no were: Akbari, Armstrong, Beck, Camper, Clemmons, Cooper, Favors, Fitzhugh, Gilmore, Hardaway, Jernigan, Jones, Love, Miller, Mitchell, Parkinson, Pitts, Powell, Shaw, Shepard, Stewart, Towns, Turner -- 23

On motion, House Amendment No. 2 failed by the following vote:

Ayes .....	22
Noes.....	73

Representatives voting aye were: Akbari, Armstrong, Beck, Camper, Clemmons, Cooper, Favors, Fitzhugh, Gilmore, Hardaway, Jernigan, Jones, Love, Miller, Mitchell, Parkinson, Pitts, Powell, Shaw, Stewart, Towns, Turner -- 22

Representatives voting no were: Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Coley, Daniel, DeBerry, Doss, Dunlap, Dunn, Eldridge, Faison, Farmer, Forgety, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Moody, Pody, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shepard, Smith, Sparks, Swann, Terry, Todd, Travis, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary -- 73



Rep. Clemmons moved to yield House Amendment No. 3 to Rep. Stewart, which motion failed by the following vote:

Ayes .....	27
Noes .....	69

Representatives voting aye were: Akbari, Armstrong, Beck, Camper, Clemmons, Cooper, DeBerry, Dunlap, Faison, Favors, Fitzhugh, Gilmore, Hardaway, Jernigan, Jones, Love, Miller, Mitchell, Parkinson, Pitts, Powell, Shaw, Shepard, Stewart, Towns, Turner, Windle -- 27

Representatives voting no were: Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Coley, Daniel, Doss, Dunn, Durham, Eldridge, Farmer, Forgety, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Moody, Pody, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Smith, Sparks, Swann, Terry, Todd, Travis, Van Huss, Weaver, White D., White M., Williams, Wirgau, Womick, Zachary -- 69

Rep. Clemmons moved adoption of House Amendment No. 3 as follows:

**Amendment No. 3**

AMEND Senate Bill No. 1556 by adding the following language as a new subsection to the amendatory language of Section 1:

( ) If a counselor or therapist intends to choose not to counsel or serve a client as to goals, outcomes, or behaviors that conflict with a sincerely held religious belief of the counselor or therapist in accordance with this section, the counselor or therapist shall provide public notice of such intent:

(1) On signage posted in a prominent location at the site where the therapist or counselor practices; and

(2) On all media and advertising materials for the counselor's or therapist's practice.

Rep. Casada moved that debate on Senate Bill No. 1556 be limited to two minutes under **Rule No. 21**, which motion prevailed by the following vote:

Ayes .....	62
Noes .....	28

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Coley, Daniel, Doss, Durham, Eldridge, Farmer, Forgety, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, Matlock, McCormick,

**WEDNESDAY, APRIL 6, 2016 – FIFTY-SIXTH LEGISLATIVE DAY UNOFFICIAL VERSION**

McDaniel, McManus, Moody, Pody, Powers, Ragan, Ramsey, Reedy, Rogers, Sargent, Sexton C., Sexton J., Sparks, Terry, Todd, Van Huss, Weaver, White D., White M., Williams, Womick, Zachary -- 62

Representatives voting no were: Akbari, Armstrong, Beck, Camper, Clemmons, Cooper, DeBerry, Dunlap, Faison, Favors, Fitzhugh, Gilmore, Hardaway, Jernigan, Jones, Love, Miller, Mitchell, Parkinson, Pitts, Powell, Sanderson, Shaw, Shepard, Stewart, Towns, Turner, Windle -  
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Rep. Howell moved that House Amendment No. 3 be tabled, which motion prevailed by the following vote:

Ayes ..... 71  
Noes..... 22

Representatives voting aye were: Alexander, Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Coley, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Forgety, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Moody, Pody, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Smith, Sparks, Swann, Terry, Todd, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary -- 71

Representatives voting no were: Akbari, Armstrong, Beck, Camper, Clemmons, Cooper, Favors, Fitzhugh, Gilmore, Hardaway, Jernigan, Jones, Love, Miller, Mitchell, Parkinson, Powell, Shaw, Shepard, Stewart, Towns, Turner -- 22

Rep. Clemmons moved to yield House Amendment No. 4 to Rep. Stewart, which motion failed by the following vote:

Ayes ..... 23  
Noes..... 62

Representatives voting aye were: Akbari, Beck, Camper, Clemmons, Cooper, DeBerry, Dunlap, Faison, Fitzhugh, Hardaway, Jernigan, Jones, Mitchell, Parkinson, Pitts, Powell, Shaw, Shepard, Smith, Stewart, Towns, Turner, Windle -- 23

Representatives voting no were: Alexander, Armstrong, Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Coley, Daniel, Doss, Durham, Eldridge, Farmer, Favors, Forgety, Goins, Gravitt, Halford, Hawk, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Johnson, Kane, Keisling, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, Matlock, McCormick, McManus, Miller, Moody, Pody, Powers, Ragan, Reedy, Rogers, Sargent, Sexton C., Sexton J., Sparks, Terry, Todd, Travis, Van Huss, Weaver, White D., White M., Williams, Womick, Zachary -- 62

**POINT OF ORDER**

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Rep. Stewart raised a point of order to get a ruling on whether the motion to yield was a suspension of the rules therefore requiring a vote of two-thirds of the body for an affirmative of the objection to the motion to yield. The Clerk announced the motion to yield is a simple motion which does not require a suspension of the rules.

### **POINT OF ORDER**

Rep. Clemmons raised a Point of Order to clarify if the motion to limit debate to two minutes also applied to limiting presentations for the bill to two presentations as well. The Clerk announced everyone could present a question and the sponsor could respond but everyone would be limited to a two minute debate limit.

### **REGULAR CALENDAR, CONTINUED**

Rep. Clemmons moved adoption of House Amendment No. 4 as follows:

#### **Amendment No. 4**

AMEND Senate Bill No. 1556 by adding the following language as a new subsection to the end of Section 1:

( ) A counselor or therapist who refuses to serve a client or patient in accordance with subsection (a) shall not:

- (1) Charge the client or patient any fee; or
- (2) File any action to recover any unpaid fee.

Rep. Howell moved that House Amendment No. 4 be tabled, which motion prevailed by the following vote:

Ayes .....	71
Noes.....	21

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Coley, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Forgety, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Moody, Pody, Powers, Ragan, Ramsey, Reedy, Rogers, Sargent, Sexton C., Sexton J., Smith, Sparks, Swann, Terry, Todd, Travis, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary -- 71

Representatives voting no were: Akbari, Armstrong, Beck, Camper, Clemmons, Cooper, Favors, Fitzhugh, Gilmore, Hardaway, Jernigan, Jones, Miller, Mitchell, Parkinson, Powell, Shaw, Shepard, Stewart, Towns, Turner -- 21

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**POINT OF ORDER**

Rep. Clemmons raised a Point of Order to clarify if the members whose names were called were allowed to address the body. The Clerk announced that the reference to other members is a curtesy and that the Tabling motion takes precedence and cuts off all debate except that of the sponsor.

**REGULAR CALENDAR, CONTINUED**

Rep. Clemmons moved adoption of House Amendment No. 5 as follows:

**Amendment No. 5**

AMEND Senate Bill No. 1556 by adding the following as a new subsection to the end of the amendatory language of Section 1:

( ) Subsections (a) and (b) do not apply to a counselor or therapist when an individual who is less than eighteen (18) years of age is seeking or undergoing counseling related to being a victim of bullying.

**AND FURTHER AMEND** by adding the following language to the end of the amendatory language of Section 2:

provided, that a violation of A.11.b shall be a ground for the board to exercise these powers in cases involving an individual who is less than eighteen (18) years of age seeking or undergoing counseling related to being a victim of bullying;

Rep. Howell moved that House Amendment No. 5 be tabled, which motion prevailed by the following vote:

Ayes .....	69
Noes.....	24
Present and not voting.....	1

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Coley, Daniel, Doss, Dunlap, Dunn, Durham, Eldridge, Farmer, Forgety, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Moody, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Smith, Sparks, Swann, Terry, Todd, Travis, Van Huss, Weaver, White D., Williams, Windle, Wirgau, Womick, Zachary -- 69

Representatives voting no were: Akbari, Armstrong, Beck, Camper, Clemmons, Cooper, DeBerry, Favors, Fitzhugh, Gilmore, Hardaway, Jernigan, Jones, Love, Miller, Mitchell, Parkinson, Pitts, Pody, Powell, Shaw, Shepard, Stewart, Turner -- 24

Representatives present and not voting were: White M. -- 1

Rep. Clemmons moved adoption of House Amendment No. 6 as follows:

**Amendment No. 6**

AMEND Senate Bill No. 1556 by adding the following as a new subsection to the end of the amendatory language of Section 1:

( ) Subsections (a) and (b) do not apply to a counselor or therapist when an individual who is less than eighteen (18) years of age is seeking or undergoing counseling related to being a victim of bullying.

Rep. Howell moved that House Amendment No. 6 be tabled, which motion prevailed by the following vote:

Ayes .....	68
Noes.....	25
Present and not voting.....	2

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Coley, Daniel, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Forgety, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Moody, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Smith, Sparks, Swann, Todd, Van Huss, Weaver, White D., Williams, Windle, Wirgau, Womick, Zachary -- 68

Representatives voting no were: Akbari, Armstrong, Beck, Camper, Clemmons, Cooper, DeBerry, Favors, Fitzhugh, Gilmore, Hardaway, Jernigan, Jones, Love, Miller, Mitchell, Parkinson, Pitts, Pody, Powell, Shaw, Shepard, Stewart, Towns, Turner -- 25

Representatives present and not voting were: Travis, White M. -- 2

Rep. Holsclaw moved the previous question, which motion failed by the following vote:

Ayes .....	43
Noes.....	46

Representatives voting aye were: Brooks H., Brooks K., Byrd, Calfee, Casada, Coley, Daniel, Doss, Dunlap, Eldridge, Farmer, Forgety, Goins, Gravitt, Halford, Hazlewood, Hill T., Holsclaw, Holt, Howell, Jenkins, Kane, Kumar, Lamberth, Lollar, Marsh, Matheny, Matlock, McDaniel, Moody, Powers, Ragan, Reedy, Rogers, Sargent, Sexton J., Sparks, Todd, Weaver, White D., Windle, Womick, Zachary -- 43

Representatives voting no were: Akbari, Alexander, Armstrong, Beck, Camper, Carr, Carter, Clemmons, Cooper, DeBerry, Dunn, Durham, Faison, Favors, Fitzhugh, Gilmore, Hardaway, Hicks, Hill M., Hulsey, Jernigan, Jones, Keisling, Littleton, Lynn, McCormick,

**WEDNESDAY, APRIL 6, 2016 – FIFTY-SIXTH LEGISLATIVE DAY UNOFFICIAL VERSION**

McManus, Miller, Mitchell, Parkinson, Pitts, Pody, Powell, Sanderson, Sexton C., Shaw, Shepard, Smith, Stewart, Swann, Terry, Towns, Turner, Van Huss, White M., Williams -- 46

After further debate, Rep. Casada moved the previous question, which motion prevailed by the following vote:

Ayes .....	64
Noes.....	26
Present and not voting.....	1

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Casada, Coley, Daniel, Doss, Dunn, Eldridge, Faison, Farmer, Forgety, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Johnson, Kane, Keisling, Kumar, Lamberth, Lollar, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Moody, Pody, Powers, Ragan, Reedy, Rogers, Sanderson, Sargent, Sexton J., Smith, Sparks, Swann, Todd, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary -- 64

Representatives voting no were: Akbari, Armstrong, Beck, Camper, Clemmons, Cooper, Durham, Favors, Fitzhugh, Gilmore, Hardaway, Jernigan, Jones, Littleton, Love, Miller, Mitchell, Parkinson, Pitts, Powell, Shaw, Shepard, Stewart, Terry, Towns, Turner -- 26

Representatives present and not voting were: DeBerry -- 1

**EXCUSED**

The Speaker announced that the following members have been excused, pursuant to requests under **Rule No. 20**:

Representative Dunlap

Representative McDaniel

Representative Sargent

Representative Travis

**REGULAR CALENDAR, CONTINUED**

Rep. Howell moved that **Senate Bill No. 1556**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	68
Noes.....	22

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Coley, Daniel, DeBerry, Doss, Dunn, Durham, Eldridge, Faison, Farmer,

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Forgety, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, Moody, Pody, Powers, Ragan, Reedy, Rogers, Sanderson, Sexton C., Sexton J., Smith, Sparks, Swann, Terry, Todd, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary -- 68

Representatives voting no were: Akbari, Armstrong, Beck, Camper, Clemmons, Cooper, Favors, Fitzhugh, Gilmore, Hardaway, Jernigan, Jones, Miller, Mitchell, Parkinson, Pitts, Powell, Shaw, Shepard, Stewart, Towns, Turner -- 22

A motion to reconsider was tabled.

**\*House Bill No. 1801** -- Local Government, General - As introduced, expands the authority of the local governments to make interfund loans to include all funds derived from the sale of a Tennessee private act hospital; limits capital outlay notes from the sale of a Tennessee private act hospital not to exceed a period of 20 fiscal years. - Amends TCA Title 9, Chapter 21. by \*Howell, \*Brooks K. (SB2380 by \*Bell)

On motion, House Bill No. 1801 was made to conform with **Senate Bill No. 2380**; the Senate Bill was substituted for the House Bill.

Rep. Howell moved that Senate Bill No. 2380 be passed on third and final consideration.

Rep. Wirgau moved that Local Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Howell moved that **Senate Bill No. 2380** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 82

Noes..... 8

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Coley, Daniel, DeBerry, Doss, Dunn, Durham, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McManus, Miller, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Reedy, Rogers, Sanderson, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Swann, Todd, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary -- 82

Representatives voting no were: Armstrong, Clemmons, Cooper, Favors, Jones, Mitchell, Stewart, Towns -- 8

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "aye" to "no" on **Senate Bill No. 2380** and have this statement entered in the Journal: Rep. Gilmore.

REGULAR CALENDAR, CONTINUED

**\*House Bill No. 1550** -- Day Care - As introduced, makes various changes to the disclosures, background checks, and training required for child care agencies, including requiring volunteers to disclose any criminal history and be subject to criminal history records checks. - Amends TCA Section 71-3-502 and Section 71-3-507. by \*McCormick, \*Brooks K, \*White D, \*Hazlewood, \*Ragan. (SB2554 by \*Norris, \*Massey)

On motion, House Bill No. 1550 was made to conform with **Senate Bill No. 2554**; the Senate Bill was substituted for the House Bill.

Rep. D. White moved that Senate Bill No. 2554 be passed on third and final consideration.

Rep. C. Sexton moved that Health Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. D. White moved that **Senate Bill No. 2554** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	89
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McManus, Miller, Mitchell, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Stewart, Swann, Terry, Todd, Towns, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary -- 89

A motion to reconsider was tabled.

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**\*House Bill No. 2195** -- Criminal Offenses - As introduced, requires a person who disseminates smoking paraphernalia to display either a sign with the international circle and slash symbolizing the prohibition of selling tobacco to minors or another permitted sign stating that state law prohibits the sale of tobacco products to minors. - Amends TCA Title 37; Title 38 and Title 39. by \*Coley, \*Moody. (SB2121 by \*Overbey, \*Kelsey, \*Crowe, \*Massey, \*Yager)

Rep. Coley moved that **House Bill No. 2195** be reset for the Regular Calendar on April 13, 2016, which motion prevailed.

**\*House Bill No. 1779** -- Criminal Offenses - As introduced, makes various changes to the offense of stalking, including adding the use of a third party to contact or surveil the person to the definition of unsolicited contact. - Amends TCA Title 20, Chapter 14; Title 36, Chapter 3, Part 6 and Title 39. by \*Coley, \*Matlock, \*Calfee, \*Akbari, \*Ragan, \*Hill M, \*Pitts, \*Beck, \*Lollar, \*Hulsey, \*Rogers, \*Gilmore, \*Goins, \*Ramsey, \*Hill T, \*Weaver, \*Hazlewood. (SB1962 by \*Yarbro, \*Bowling, \*Harris, \*Ketron, \*Briggs)

Rep. Coley moved that **House Bill No. 1779** be reset for the Regular Calendar on April 14, 2016, which motion prevailed.

**House Bill No. 929** -- Hospitals and Health Care Facilities - As introduced, revises the definition of nonresidential substitution-based treatment center for opiate addiction to require a certificate of need for certain centers offering treatment with products containing buprenorphine. - Amends TCA Title 33, Chapter 2 and Title 68, Chapter 11. by \*Powers, \*Calfee, \*Farmer, \*Hawk, \*Durham, \*Littleton, \*Keisling, \*Ragan, \*McCormick, \*Hazlewood. (\*SB829 by \*Yager, \*McNally, \*Bowling, \*Briggs, \*Dickerson)

On motion, House Bill No. 929 was made to conform with **Senate Bill No. 829**; the Senate Bill was substituted for the House Bill.

Rep. Powers moved that Senate Bill No. 829 be passed on third and final consideration.

Rep. C. Sexton moved adoption of Health Committee Amendment No. 1 as follows:

#### **Amendment No. 1**

AMEND Senate Bill No. 829 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 33-2-402, is amended by adding the following as new subdivisions to be appropriately designated:

( )

(A) "Nonresidential office-based opiate treatment facility" includes, but is not limited to, stand-alone clinics, treatment resources, individual physical locations occupied as the professional practice of a prescriber or prescribers licensed pursuant to title 63, or other entities prescribing products containing buprenorphine, or products containing any other controlled substance designed to treat opiate addiction by preventing symptoms of withdrawal to fifty percent (50%) or more of its patients and to one hundred fifty (150) or more patients;

(B) For the purposes of subdivision (A), "physical location" means real property on which is located a physical structure, whether or not that structure is attached to real property, containing one (1) or more units and includes an individual apartment, office, condominium, cooperative unit, mobile or manufactured home, or trailer, if used as a site for prescribing or dispensing products containing buprenorphine, or products containing any other controlled substance designed to treat opiate addiction by preventing symptoms of withdrawal;

( ) "Nonresidential substitution-based treatment center for opiate addiction" or "nonresidential opioid treatment program" includes, but is not limited to, stand-alone clinics offering methadone, products containing buprenorphine such as Subutex and Suboxone, or products containing any other formulation designed to treat opiate addiction by preventing symptoms of withdrawal;

SECTION 2. Tennessee Code Annotated, Section 33-2-402(2), is amended by inserting the language "nonresidential office-based opiate treatment facility, nonresidential substitution-based treatment center for opiate addiction," between the language "community mental health center," and "DUI school".

SECTION 3. Tennessee Code Annotated, Section 33-2-403(b)(1), is amended by deleting the subdivision and substituting instead the following:

(1) Private practitioners who are authorized to practice by the boards of healing arts and only in private practice in that capacity. This subdivision (b)(1) shall not apply to a private practitioner, prescriber, or prescribers operating a nonresidential office-based opiate treatment facility, as defined in § 33-2-402;

SECTION 4. Tennessee Code Annotated, Section 33-2-403, is amended by adding the following new subsections:

(e) The license holder of a nonresidential office-based opiate treatment facility shall ensure that adequate billing records are maintained, in any format, onsite at the nonresidential office-based opiate treatment facility and shall ensure that adequate billing records are maintained for all patients and for all patient visits. Billing records shall be maintained for a period of three (3) years from the date of the patient's last treatment at the nonresidential office-based opiate

treatment facility. Billing records shall be made for all methods of payment. Billing records shall be made available to the department upon request. Billing records shall include, but not be limited to, the following:

- (1) The amount paid for services;
- (2) Method of payment;
- (3) Date of the delivery of services;
- (4) Date of payment; and
- (5) Description of services.

(f) The license holder of a nonresidential office-based opiate treatment facility shall ensure that records of all bank deposits of cash payments for services provided at the nonresidential office-based opiate treatment facility are maintained, in any format, at the nonresidential office-based opiate treatment facility for a period of three (3) years.

(g) The license holder of a nonresidential office-based opiate treatment facility shall ensure that patient medical records are maintained, in any format, for a period of ten (10) years from the date of the patient's last treatment at the facility.

SECTION 5. The commissioner of mental health and substance abuse services, upon consultation with the commissioner of health, is authorized to promulgate rules to implement this act in accordance with the Uniform Administrative Procedures Act, compiled in Tennessee Code Annotated, Title 4, Chapter 5. Medication assisted treatment guidelines, developed by nationally recognized addiction treatment organizations, such as the United States department of health and human services' substance abuse and mental health services agency, the United States department of health and human services' national institute on drug abuse, and the American Society of Addiction Medicine, shall serve as a guide to the development of the rules.

SECTION 6. For purposes of rulemaking, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect on January 1, 2017, the public welfare requiring it.

On motion, Health Committee Amendment No. 1 was adopted.

Rep. C. Sexton moved adoption of Health Committee Amendment No. 2 as follows:

**Amendment No. 2**

AMEND Senate Bill No. 829 by inserting the following new section immediately preceding the last section and renumbering the subsequent section accordingly:

SECTION \_\_\_\_\_. Notwithstanding this act or the Uniform Administrative Procedures Act, compiled in Tennessee Code Annotated, Title 4, Chapter 5, any rule promulgated to implement the provisions of this act shall be provided to the chairs of the health committee of the house of representatives and the health and welfare committee of the senate by the secretary of state, after approval by the attorney general and reporter, at the same time the text of the rule is made available to the government operations committees of the senate and the house of representatives for purposes of conducting the review required by § 4-5-226 in order for the health committee of the house of representatives and the health and welfare committee of the senate to be afforded the opportunity to comment on the rule.

On motion, Health Committee Amendment No. 2 was adopted.

Rep. Powers moved that **Senate Bill No. 829**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	85
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Cooper, Daniel, DeBerry, Doss, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Kane, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Stewart, Swann, Terry, Todd, Towns, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary -- 85

A motion to reconsider was tabled.

**\*House Bill No. 2256** -- Professions and Occupations - As introduced, enacts the "Pawnbroker Restitution Act"; clarifies that a pawnbroker is not required to relinquish an item to a claimant without a court order; requires 10-day period before a claimant may petition a court or a holding order may be placed on such items; changes from discretionary to mandatory a law enforcement officer's authority to place a hold order on such items if there is probable cause to believe the item is stolen or misappropriated. - Amends TCA Title 45, Chapter 6. by \*Powers. (SB2337 by \*McNally)

Rep. Powers moved that House Bill No. 2256 be passed on third and final consideration.

Rep. Marsh moved that Business and Utilities Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Marsh moved adoption of Business and Utilities Committee Amendment No. 2 as follows:

**Amendment No. 2**

AMEND House Bill No. 2256 by deleting the amendatory language of § 45-6-302 in SECTION 1 and substituting instead the following:

Notwithstanding § 40-24-105, all moneys paid by a conveying customer pursuant to § 45-6-213(c), § 40-35-301, or § 40-35-304, or pursuant to an order by any court of this state, whether civil or criminal in nature, shall be credited as follows:

(1) If the misappropriated or stolen goods are returned to the claimant of the property, the pawnbroker shall first receive payment until the full amount the conveying customer received from the pawnbroker for the property, plus all applicable pawn service charges, and all fees and costs incurred by the pawnbroker in defending a replevin action or civil matter, are paid. Only after the pawnbroker is repaid in full shall payments be credited toward litigation taxes, costs, fines, or any other payment specified by the court; or

(2) If the misappropriated or stolen goods are not returned to the claimant of the property, the claimant shall first receive payment in an amount specified by the court. After the claimant receives payment in full, all other payments shall be made in accordance with subdivision (1).

On motion, Business and Utilities Committee Amendment No. 2 was adopted.

Rep. Powell moved the previous question, which motion prevailed.

Rep. Powers moved that **House Bill No. 2256**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 85  
Noes ..... 3

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Jenkins, Jernigan, Johnson, Keisling, Kumar, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McManus, Miller, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Stewart, Swann, Terry, Towns, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary -- 85

Representatives voting no were: Hulsey, Lamberth, Todd -- 3

A motion to reconsider was tabled.

**\*House Bill No. 2171** -- Lottery, Corporation - As introduced, requires posting and archiving of annual reports on TELC's web page. - Amends TCA Title 4, Chapter 51, Part 1. by \*Doss. (SB2236 by \*Hensley)

On motion, House Bill No. 2171 was made to conform with **Senate Bill No. 2236**; the Senate Bill was substituted for the House Bill.

Rep. Doss moved that Senate Bill No. 2236 be passed on third and final consideration.

Rep. Ramsey moved that State Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

**BILL HELD ON DESK**

Rep. Doss moved that **Senate Bill No. 2236** be held on the Clerk's desk, which motion prevailed.

**EXCUSED**

The Speaker announced that the following member has been excused, pursuant to request under **Rule No. 20**:

Representative Sanderson

**REGULAR CALENDAR, CONTINUED**

**\*House Bill No. 261** -- Purchasing and Procurement - As introduced, increases time the fiscal review committee may comment on noncompetitive contracts from 40 business days to 45 business days. - Amends TCA Title 4, Chapter 56; Title 12; Title 41, Chapter 22 and Title 49, Chapter 3. by \*Matheny. (SB377 by \*Ketron, \*Bowling, \*Kelsey)

On motion, House Bill No. 261 was made to conform with **Senate Bill No. 377**; the Senate Bill was substituted for the House Bill.

Rep. Matheny moved that Senate Bill No. 377 be passed on third and final consideration.

Rep. Ramsey moved that State Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

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Rep. Stewart moved adoption of House Amendment No. 2 as follows:

**Amendment No. 2**

AMEND Senate Bill No. 377 by inserting the following new section immediately preceding the last section and renumbering the subsequent section accordingly:

SECTION \_\_. Tennessee Code Annotated, Title 12, Chapter 4, Part 8, is amended by adding the following language as a new section:

(a) This section shall be known and may be cited as the "Tennessee First Act."

(b) As used in this section, "Tennessee business" means a business that is a continuing, independent, for-profit business which performs a commercially useful function with residence in Tennessee.

(c)

(1) Except for public construction contracts and contracts with the department of transportation, whenever the lowest responsible and responsive bidder on a state contract for goods and services is a resident of another state which is contiguous to this state and which allows a preference to a resident contractor of that state, then a like reciprocal preference is allowed to the lowest responsible and responsive bidder on the contract who is a Tennessee business.

(2) Subdivision (c)(1) shall only apply to state contracts for goods and services where the preference allowed in the contiguous state is equal to or exceeds the allowance in subdivision (d)(2).

(d)

(1) Notwithstanding any law to the contrary, the chief procurement officer shall promulgate rules authorizing an allowance for Tennessee businesses in the evaluation of bids and proposals for state contracts for goods and services in accordance with this section.

(2) The allowance to be given to a Tennessee business shall not exceed five percent (5%) of the lowest responsive, responsible bidder meeting specifications and shall be applied on a sliding scale in the following manner:

(A) Five percent (5%) shall be allowed for contracts up to one million dollars (\$1,000,000);

(B) Four percent (4%) shall be allowed for contracts between one million dollars (\$1,000,000) up to ten million dollars (\$10,000,000);

(C) Three percent (3%) shall be allowed for contracts between ten million dollars (\$10,000,000) up to twenty-five million dollars (\$25,000,000);

(D) Two percent (2%) shall be allowed for contracts between twenty-five million dollars (\$25,000,000) and up to fifty million dollars (\$50,000,000); and

(E) One percent (1%) shall be allowed for contracts that exceed fifty million dollars (\$50,000,000).

Rep. Matheny moved that House Amendment No. 2 be tabled, which motion prevailed by the following vote:

Ayes .....	65
Noes.....	24

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Coley, Daniel, Doss, Dunn, Durham, Eldridge, Faison, Farmer, Forgety, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, Matlock, McCormick, Moody, Pody, Powers, Ragan, Ramsey, Reedy, Rogers, Sexton C., Sexton J., Smith, Sparks, Swann, Terry, Todd, Van Huss, Weaver, White D., White M., Williams, Wirgau, Womick, Zachary -- 65

Representatives voting no were: Akbari, Armstrong, Beck, Camper, Clemmons, Cooper, DeBerry, Favors, Fitzhugh, Gilmore, Hardaway, Jernigan, Jones, Miller, Mitchell, Parkinson, Pitts, Powell, Shaw, Shepard, Stewart, Towns, Turner, Windle -- 24

Rep. Todd moved the previous question, which motion prevailed.

Rep. Matheny moved that **Senate Bill No. 377** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	87
Noes.....	2

Representatives voting aye were: Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks,



Stewart, Swann, Terry, Todd, Towns, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary -- 87

Representatives voting no were: Akbari, Hardaway -- 2

A motion to reconsider was tabled.

**\*House Bill No. 2633** -- Tullahoma - As introduced, subject to local approval, creates the Tullahoma utilities authority. - Amends Chapter 553 of the Acts of 1903. by \*Matheny. (SB2658 by \*Bowling)

Rep. Matheny moved that House Bill No. 2633 be passed on third and final consideration.

Rep. Wirgau moved adoption of Local Government Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 2633 by deleting the language "Tennessee Code Annotated, §§ 7-52-401, 7-52-403, 7-52-405, 7-52-406, 7-52-601, 7-52-603 (except §§ 7-52-603(a)(1)(A)), 7-52-604, 7-52-605, and 7-52-609" in subdivision (6) in SECTION 4 and substituting instead the language "Tennessee Code Annotated, Title 7, Chapter 52, Parts 4 and 6".

**AND FURTHER AMEND** by deleting the semicolon (;) at the end of subdivision (6) in SECTION 4 and adding the following language to the end of the subdivision:

. Notwithstanding anything in this act to the contrary, the authority shall be subject to the territorial limitations set forth in § 7-52-601, as the same may be amended from time to time, in the same manner and to the same extent as such limitations apply from time to time to a municipal electric system providing services pursuant to § 7-52-601;

**AND FURTHER AMEND** by adding the following language to the end of subdivision (20) in SECTION 4:

provided, however, that the records of any joint venture or other business arrangement shall be open to the public in accordance with the Open Records Law, compiled in Tennessee Code Annotated, Title 10, Chapter 7, and the meetings of such joint venture or other business arrangement shall be subject to the Open Meetings Law, compiled in Tennessee Code Annotated, Title 8, Chapter 44;

**AND FURTHER AMEND** by deleting the period (.) at the end of SECTION 20 and adding the following language:

; provided, however, the authority shall make the payments required by Tennessee Code Annotated, §§ 7-52-404 and 7-52-606, and shall be subject to all other state and local fees and charges imposed upon private providers of such services.

**AND FURTHER AMEND** by deleting the effective date section and substituting instead the following:

SECTION 38. For the purpose of approving or rejecting this act, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect upon being approved as provided in Section 37.

On motion, Local Government Committee Amendment No. 1 was adopted.

Rep. Matheny moved that **House Bill No. 2633**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	89
Noes .....	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Stewart, Swann, Terry, Todd, Towns, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary -- 89

A motion to reconsider was tabled.

**House Bill No. 2490** -- Education - As introduced, changes the date by which the department of education must submit its annual report on virtual schools, from July 1 to September 1. - Amends TCA Title 49. by \*Akbari. (\*SB2165 by \*Tate)

On motion, House Bill No. 2490 was made to conform with **Senate Bill No. 2165**; the Senate Bill was substituted for the House Bill.

Rep. Akbari moved that Senate Bill No. 2165 be passed on third and final consideration.

Rep. H. Brooks moved that Education Administration & Planning Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Akbari moved that **Senate Bill No. 2165** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 89  
Noes ..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Stewart, Swann, Terry, Todd, Towns, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary -- 89

A motion to reconsider was tabled.

### **REQUEST TO CHANGE VOTE**

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on **Senate Bill No. 2165** and have this statement entered in the Journal: Rep. Howell.

### **REGULAR CALENDAR, CONTINUED**

**\*House Bill No. 2212** -- Labor and Workforce Development, Dept. of - As introduced, requires any report issued by the economic council on women on the wage disparities between men and women, and minorities and nonminorities, in the same job classifications to be transmitted by the commissioner to the governor, to the speakers of both houses of the general assembly, to each member of the general assembly, and to each library designated as a depository of state reports and documents. - Amends TCA Title 4; Title 7; Title 12; Title 45; Title 47; Title 50; Title 56; Title 62; Title 65; Title 66; Title 67 and Title 68. by \*Powell, \*Miller, \*Hardaway, \*Gilmore, \*Jernigan, \*Clemmons, \*Swann, \*Calfee, \*Cooper. (SB2450 by \*Harris, \*Briggs, \*Dickerson, \*Overbey, \*Bowling, \*Yarbro)

On motion, House Bill No. 2212 was made to conform with **Senate Bill No. 2450**; the Senate Bill was substituted for the House Bill.

Rep. Powell moved that Senate Bill No. 2450 be passed on third and final consideration.

Rep. Marsh moved that Business and Utilities Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Powell moved that **Senate Bill No. 2450** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 90  
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Stewart, Swann, Terry, Todd, Towns, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Womick, Zachary -- 90

A motion to reconsider was tabled.

**\*House Bill No. 2119** -- Utilities, Utility Districts - As introduced, prohibits a city, town, municipality, or utility district from recovering charges or penalties for the furnishing of water, wastewater, or sewer services to a utility user from any property owner who is not a party to the contract for services. - Amends TCA Title 7; Title 65; Title 66 and Title 68. by \*Gravitt, \*McCormick. (SB2370 by \*Watson)

Rep. Gravitt moved that House Bill No. 2119 be passed on third and final consideration.

Rep. Marsh moved that Business and Utilities Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Marsh moved adoption of Business and Utilities Committee Amendment No. 2 as follows:

### **Amendment No. 2**

AMEND House Bill No. 2119 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 221, Part 6, is amended by adding the following language as a new section:

(a) An authority shall not require a property owner, the property owner's agent, or a subsequent tenant to the property to pay or to guarantee the payment of charges, penalties, or other fees owed to the authority that were incurred by a former tenant of such property owner or agent. However, an authority is authorized to establish deposits based upon not only the prior usage at the location where the utility service is to be provided but also the payment history of the new tenant; provided, however, the delinquent payment history of a former tenant of the property shall not be considered in establishing the amount of the deposit for the new tenant.

(b) This section shall only apply to water and wastewater treatment authorities created in any county having a population of not less than three hundred thirty-six thousand four hundred (336,400) nor more than three hundred thirty-six thousand five hundred (336,500), according to the 2010 federal census or any subsequent federal census.

SECTION 2. This act shall take effect July 1, 2016, the public welfare requiring it.

On motion, Business and Utilities Committee Amendment No. 2 was adopted.

Rep. Gravitt moved that **House Bill No. 2119**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	85
Noes.....	0
Present and not voting.....	3

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rogers, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Stewart, Terry, Todd, Towns, Turner, Van Huss, Weaver, White D., Williams, Windle, Wirgau, Womick, Zachary -- 85

Representatives present and not voting were: Hulsey, Reedy, Swann -- 3

A motion to reconsider was tabled.

### EXCUSED

The Speaker announced that the following member has been excused, pursuant to request under **Rule No. 20**:

Representative Williams

### REGULAR CALENDAR, CONTINUED

**\*House Bill No. 1997** -- Municipal Government - As introduced, prohibits a municipality from holding another election on an advertising tax levy for five years after such an election. - Amends TCA Title 6, Chapter 54, Part 2. by \*Carr . (SB2083 by \*Overbey)

On motion, House Bill No. 1997 was made to conform with **Senate Bill No. 2083**; the Senate Bill was substituted for the House Bill.

Rep. Carr moved that Senate Bill No. 2083 be passed on third and final consideration.

Rep. Wirgau moved adoption of Local Government Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND Senate Bill No. 2083 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 6, Chapter 54, Part 2, is amended by adding the following language as a new section:

Notwithstanding any law to the contrary, records held by a city whose primary industry is tourism that address a specific amount of money expended in a given market for digital or traditional media or that address the specific detail of targeted audiences identified for marketing purposes may be treated as confidential and not subject to the open records law, compiled in title 10, chapter 7. Nothing in this section shall prevent public disclosure of aggregate expenditure amounts for marketing activities at any time.

SECTION 2. This act shall take effect upon becoming law, the public welfare requiring it.

On motion, Local Government Committee Amendment No. 1 was adopted.

Rep. Carr moved that **Senate Bill No. 2083**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 88  
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sexton J., Shaw, Shepard, Smith, Sparks, Stewart, Swann, Terry, Todd, Towns, Turner, Van Huss, Weaver, White D., White M., Windle, Wirgau, Womick, Zachary -- 88

A motion to reconsider was tabled.

**House Bill No. 1799** -- Special License Plates - As introduced, authorizes issuance of Combat Action new specialty earmarked license plates. - Amends TCA Title 55, Chapter 4. by \*Rogers. (\*SB1752 by \*Green, \*Bailey, \*Crowe, \*Gresham, \*Norris)

On motion, House Bill No. 1799 was made to conform with **Senate Bill No. 1752**; the Senate Bill was substituted for the House Bill.

Rep. Rogers moved that Senate Bill No. 1752 be passed on third and final consideration.

Rep. Matlock moved that Transportation Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Rogers moved that **Senate Bill No. 1752** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	85
Noes.....	0
Present and not voting.....	1

Representatives voting aye were: Akbari, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sexton J., Shaw, Shepard, Smith, Sparks, Stewart, Swann, Terry, Todd, Towns, Turner, Van Huss, Weaver, White D., White M., Windle, Wirgau, Womick, Zachary -- 85

Representatives present and not voting were: Alexander -- 1

A motion to reconsider was tabled.

### **PRESENT IN CHAMBER**

Rep. Spivey was recorded as being present in the Chamber.

### **REGULAR CALENDAR, CONTINUED**

**House Bill No. 1667** -- Lottery, Charitable - As introduced, removes permanent disqualification for organizations failing to return requisite percentage of gross proceeds to

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charitable purposes or programs in two consecutive annual event periods and replaces with a five-year disqualification; prohibits disbursement of prizes to ineligible participants and authorizes alternate selection of winners for such prizes within 30 days of the annual event; revises other provisions of the Tennessee Charitable Gaming Implementation Law. - Amends TCA Title 3, Chapter 17. by \*Durham. (\*SB1565 by \*Yager)

On motion, House Bill No. 1667 was made to conform with **Senate Bill No. 1565**; the Senate Bill was substituted for the House Bill.

Rep. Durham moved that Senate Bill No. 1565 be passed on third and final consideration.

Rep. Ramsey moved that State Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Durham moved that **Senate Bill No. 1565** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	79
Noes.....	1

Representatives voting aye were: Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Howell, Hulsey, Jenkins, Jernigan, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rogers, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Stewart, Terry, Todd, Towns, Turner, Van Huss, Weaver, White D., White M., Windle, Womick, Zachary -- 79

Representatives voting no were: Hardaway -- 1

A motion to reconsider was tabled.

**\*House Bill No. 2391** -- Orders of Protection - As introduced, clarifies that if a person files for an order of protection after divorce complaint is filed, the court that receives the filing shall order relief; requires rather than authorizes certain relief to be granted in protection orders. - Amends TCA Title 36, Chapter 3, Part 6. by \*Littleton. (SB2343 by \*Dickerson)

Rep. Littleton moved that House Bill No. 2391 be passed on third and final consideration.

Rep. Carter moved adoption of Civil Justice Committee Amendment No. 1 as follows:

#### **Amendment No. 1**

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AMEND House Bill No. 2391 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 36-3-606, is amended by deleting subsection (e) in its entirety and redesignating the remaining subsections accordingly.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Civil Justice Committee Amendment No. 1 was adopted.

Rep. Littleton moved that **House Bill No. 2391**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 87  
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Marsh, Matheny, Matlock, McCormick, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ramsey, Reedy, Rogers, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Turner, Van Huss, Weaver, White D., White M., Windle, Wirgau, Womick, Zachary -- 87

A motion to reconsider was tabled.

**\*House Bill No. 857** -- Solid Waste Disposal - As introduced, requires a proposed landfill owner to provide notice to persons owning property within a five-kilometer radius, instead of a three-mile radius, 15 days in advance of any scheduled hearing. - Amends TCA Title 68, Chapter 211. by \*Beck, \*Gilmore. (SB1049 by \*Yarbro, \*Harper)

On motion, House Bill No. 857 was made to conform with **Senate Bill No. 1049**; the Senate Bill was substituted for the House Bill.

Rep. Beck moved that Senate Bill No. 1049 be passed on third and final consideration.

Rep. Halford moved that Agriculture and Natural Resources Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Beck moved that **Senate Bill No. 1049** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 81  
Noes..... 5

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Halford, Hardaway, Hawk, Hicks, Hill M., Hill T., Holsclaw, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McManus, Miller, Mitchell, Parkinson, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Stewart, Swann, Terry, Todd, Towns, Turner, Van Huss, Weaver, White D., White M., Windle, Wirgau, Womick, Zachary -- 81

Representatives voting no were: Goins, Holt, McCormick, Moody, Spivey -- 5

A motion to reconsider was tabled.

**\*House Bill No. 2022** -- Mass Transit - As introduced, authorizes the department of transportation to construct and operate a mass transit system on the shoulder of a state or interstate highway; authorizes the department to enter into a contractual arrangement with a public transportation provider to operate the system. - Amends TCA Title 5; Title 6; Title 7; Title 9; Title 54; Title 55; Title 64 and Title 65. by \*Beck, \*Sargent, \*Clemmons, \*Holsclaw, \*Byrd. (SB1953 by \*Yarbro, \*Ketron, \*Harper)

Rep. Beck moved that **House Bill No. 2022** be reset for the Regular Calendar on April 11, 2016, which motion prevailed.

**\*House Bill No. 2298** -- Courts, Juvenile - As introduced, establishes confidentiality and accessibility of assessment reports compiled by the juvenile court in Davidson County. - Amends TCA Title 37. by \*Beck. (SB2419 by \*Yarbro)

On motion, House Bill No. 2298 was made to conform with **Senate Bill No. 2419**; the Senate Bill was substituted for the House Bill.

Rep. Beck moved that Senate Bill No. 2419 be passed on third and final consideration.

Rep. Carter moved that Civil Justice Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Beck moved that **Senate Bill No. 2419** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 88  
Noes..... 0

Representatives voting aye were: Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McManus, Miller, Mitchell, Moody, Parkinson, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Turner, Van Huss, Weaver, White D., White M., Windle, Wirgau, Womick, Zachary -- 88

A motion to reconsider was tabled.

**\*House Bill No. 2300** -- Motor Vehicles - As introduced, increases from 300 feet to 350 feet the distance required for a truck of more than one and one-half ton rated capacity to approach any other truck of like or greater capacity proceeding in the same direction on any highway outside municipal limits, except in overtaking and passing or unless one or both trucks are stopped or disabled. - Amends TCA Title 55, Chapter 8. by \*Beck. (SB2425 by \*Yarbro, \*Dickerson)

On motion, House Bill No. 2300 was made to conform with **Senate Bill No. 2425**; the Senate Bill was substituted for the House Bill.

Rep. Beck moved that Senate Bill No. 2425 be passed on third and final consideration.

Rep. Matlock moved that Transportation Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Matlock moved that Transportation Committee Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Parkinson moved the previous question, which motion prevailed.

Rep. Beck moved that **Senate Bill No. 2425** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	83
Noes.....	1
Present and not voting.....	5

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Kumar, Lamberth, Littleton, Lollar, Love, Marsh, Matheny, Matlock, McCormick, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rogers, Sexton C., Sexton J., Shaw, Shepard, Smith,

Spivey, Stewart, Swann, Terry, Todd, Turner, Van Huss, Weaver, White D., White M., Windle, Wirgau, Zachary -- 83

Representatives voting no were: Keisling -- 1

Representatives present and not voting were: Holt, Reedy, Sparks, Towns, Womick -- 5

A motion to reconsider was tabled.

**EXCUSED**

The Speaker announced that the following member has been excused, pursuant to request under **Rule No. 20**:

Representative Moody

**REGULAR CALENDAR, CONTINUED**

**\*House Bill No. 1407** -- Education, Higher - As introduced, grants in-state tuition and fees at public higher education institutions to certain dependent children of military parents regardless of place of residency if the military parent perished as the result of a targeted attack that occurred in Tennessee. - Amends TCA Title 49, Chapter 4; Title 49, Chapter 7; Title 49, Chapter 8 and Title 49, Chapter 9. by \*McCormick, \*Rogers, \*Sargent, \*Brooks K, \*Eldridge, \*Wirgau, \*Gravitt. (SB1431 by \*Gardenhire, \*Watson, \*Gresham, \*Bowling, \*Crowe, \*Niceley)

Further consideration of House Bill No. 1407, previously considered on the Consent Calendar for April 4, 2016, at which time it was objected to and reset for today's Regular Calendar.

On motion, House Bill No. 1407 was made to conform with **Senate Bill No. 1431**; the Senate Bill was substituted for the House Bill.

**CHAIR TO SPEAKER**

Speaker Pro Temp Johnson relinquished the gavel to Madam Speaker Harwell.

**REGULAR CALENDAR, CONTINUED**

Rep. McCormick moved that **Senate Bill No. 1431** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 95  
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

**\*House Bill No. 2652** -- Rocky Top - As introduced, subject to local approval, rewrites city charter. - Amends Chapter 227 of the Private Acts of 1992; as amended. by \*Ragan. (SB2678 by \*McNally)

Further consideration of House Bill No. 2652, previously considered on the Consent Calendar for April 4, 2016, at which time it was objected to and reset for today's Regular Calendar.

Rep. Ragan moved that **House Bill No. 2652** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	89
Noes .....	3

Representatives voting aye were: Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Littleton, Lollar, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 89

Representatives voting no were: Armstrong, Camper, Parkinson -- 3

A motion to reconsider was tabled.

### **PRESENT IN CHAMBER**

Rep. Moody was recorded as being present in the Chamber.

### **REGULAR CALENDAR, CONTINUED**

3499

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

**\*House Bill No. 2139** -- Education - As introduced, requires all LEA personnel to verify that the LEA's policy on use of the Internet has been read prior to accepting an employment contract or at the renewal of an employment contract. - Amends TCA Title 49. by \*Brooks K, \*Hardaway. (SB2514 by \*Gresham)

Further consideration of House Bill No. 2139, previously considered on March 31, 2016 and April 4, 2016, at which time it was reset for today's Calendar.

Rep. K. Brooks moved that House Bill No. 2139 be passed on third and final consideration.

Rep. H. Brooks moved adoption of Education Administration & Planning Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 2139 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 13, is amended by adding the following language as a new section:

**49-13-143.**

(a) Each LEA that is a chartering authority, the achievement school district (ASD), and the state board of education shall publish an annual charter school authorizer performance report. Each report shall contain information on the performance of the chartering authority's schools for the immediately prior school year and fiscal year. The report shall include:

(1) Data on the academic performance of the schools that the chartering authority oversees. The report shall include data from the state accountability system on each school's academic performance and shall indicate how well each school performed against the goals set forth in its performance framework and charter school agreement. The report, at a chartering authority's discretion, may include performance data based on the authority's own adopted performance management or accountability system for its schools. In any event, a chartering authority shall report the following data for the charter schools it authorizes:

(A) The Tennessee Value-Added Assessment System (TVAAS) schoolwide composite-level score 1-5 for each school;

(B) The TVAAS schoolwide composite-index score for each school;

(C) The percentage of students scoring proficient and advanced in mathematics, reading/language arts, and science on the Tennessee comprehensive assessment program (TCAP) tests, including the TNReady assessment, in each school;

(D) Schools that are identified as reward, focus, or priority schools;

(E) When applicable, the ACT and SAT scores of students; and

(F) When applicable, graduation rates;

(2) The record of compliance with objective, defined financial, and operations requirements for each charter school authorized by the chartering authority;

(3) Key student data for each charter school authorized by the chartering authority, including:

(A) Overall school enrollment;

(B) School enrollment by subgroup, including, but not limited to:

(i) Students receiving special education;

(ii) Students eligible for free and reduced price lunch; and

(iii) English language learners;

(C) School attrition as computed by the formula in which the number of students leaving the school during the school year is the numerator and the denominator is the sum of the number of students enrolled at the beginning of the school year and the number of students enrolling in the school during the school year;

(D) School attrition for subgroups of students computed using the formula in subdivision (a)(3)(C) as modified for a subgroup; and

(E) School expulsion and suspension rates;

(4) Financial information, including per pupil BEP funds paid to charter schools, the numbers used to make the per pupil calculation for the fiscal year, and any local capital outlay funds distributed for charter

school capital projects as a percentage of the chartering authority's capital funding for the fiscal year. A chartering authority shall include in its report:

(A) Each school's final weighted average daily membership (ADM) for BEP payment purposes;

(B) The chartering authority's final year weighted ADM;

(C) The amount of revenue attributable to charter schools for the fiscal year;

(D) Any local capital outlay funding that was distributed to charter school projects; and

(E) If the chartering authority is an LEA, the total local capital outlay funding from the local governing body that was allocated to the LEA.

(b) The annual authorizer performance reports shall be transmitted to the governor, the general assembly, the state board of education, if the chartering authority is not the state board, and the department of education by December 1 of the school year following the school year for which the report is made. The department shall post all authorizer performance reports on its web site for public viewing.

SECTION 2. Tennessee Code Annotated, Section 49-13-108(f), is amended by deleting the language "are encouraged to adopt" and substituting instead the language "shall adopt".

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Education Administration & Planning Committee Amendment No. 1 was adopted.

Rep. Mitchell moved that House Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Stewart moved that House Amendment No. 3 be withdrawn, which motion prevailed.

Rep. Stewart moved that House Amendment No. 4 be withdrawn, which motion prevailed.

Rep. Stewart moved that House Amendment No. 5 be withdrawn, which motion prevailed.



Rep. Stewart moved that House Amendment No. 6 be withdrawn, which motion prevailed.

Rep. Parkinson moved adoption of House Amendment No. 7 as follows:

**Amendment No. 7**

AMEND House Bill No. 2139 by adding the following language as new subsection (b) in the amendatory language of SECTION 1 and redesignating existing subsection (b) as subsection (c):

(b)

(1) The department of education shall create a model performance framework that clearly sets forth the academic and operation performance indicators, measures, and metrics that shall guide an authorizer's evaluations of each of the public charter schools it authorized. The performance framework indicators, measures, and metrics shall, at a minimum, include:

(A) Student proficiency, including, but not limited to, performance on state standardized assessments;

(B) Student growth as represented by the Tennessee Value-Added Assessment System (TVAAS);

(C) Achievement gaps between major student subgroups;

(D) Financial performance and sustainability; and

(E) Governing body performance and stewardship, including compliance with all applicable laws, regulations, and terms of the charter agreement.

(2) Authorizers shall, at a minimum, adopt the model performance framework.

On motion, House Amendment No. 7 was adopted.

Rep. K. Brooks moved that **House Bill No. 2139**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 95  
Noes ..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety,

Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Windle, Wirgau, Womick, Zachary, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

### **PRESENT IN CHAMBER**

Rep. Sanderson was recorded as being present in the Chamber.

### **MESSAGE CALENDAR**

#### **HOUSE ACTION ON SENATE MESSAGES**

**House Bill No. 1276** -- Alcoholic Beverages - As introduced, permits the sale of alcoholic beverages and beer for consumption on the premises of a deluxe theater that exhibits motion pictures to the public for a charge, has a full-service restaurant with at least 900 seats at tables, and contains nine auditoriums with seating for not less than 50 persons in each auditorium. - Amends TCA Title 57, Chapter 4. by \*Durham, \*Sargent, \*Lamberth, \*Casada. (\*SB913 by \*Johnson, \*Kelsey)

Rep. Casada moved that the Report of the Conference Committee on **House Bill No. 1276** be adopted and made the action of the House.

#### **Conference Committee Report on House Bill No. 1276**

The House and Senate Conference Committee appointed pursuant to motions to resolve the differences between the two houses on House Bill No. 1276 (Senate Bill No. 913) has met and recommends that the following amendments be deleted: House Amendment #1 (drafting code 4763).

The committee further recommends that Senate Amendment #1 (drafting code 6156) be adopted.

/s/ Senator Jack Johnson  
/s/ Senator Bill Ketron  
/s/ Senator Thelma Harper

/s/ Representative Charles Sargent  
/s/ Representative Glen Casada  
/s/ Representative Darren Jernigan

EXCUSED

The Speaker announced that the following members have been excused, pursuant to requests under **Rule No. 20**:

Representative Matheny

Representative Wirgau

MESSAGE CALENDAR, CONTINUED

Rep. Lollar moved the previous question, which motion prevailed.

Rep. Casada moved that the Report of the Conference Committee on **House Bill No. 1276** be adopted and made the action of the house, which motion prevailed by the following vote:

Ayes .....	53
Noes.....	28
Present and not voting.....	5

Representatives voting aye were: Akbari, Armstrong, Beck, Camper, Casada, Clemmons, Coley, Cooper, Daniel, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Gravitt, Halford, Hardaway, Hawk, Hicks, Holsclaw, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kumar, Lamberth, Littleton, Lynn, Marsh, McDaniel, McManus, Miller, Mitchell, Parkinson, Powell, Ragan, Ramsey, Reedy, Sanderson, Sargent, Shaw, Stewart, Terry, Todd, Towns, Weaver, White D., Madam Speaker Harwell -- 53

Representatives voting no were: Alexander, Brooks H., Byrd, Calfee, Carr, DeBerry, Dunlap, Dunn, Hill M., Hill T., Holt, Keisling, Lollar, Matlock, Moody, Rogers, Sexton C., Sexton J., Shepard, Sparks, Spivey, Swann, Turner, Van Huss, White M., Windle, Womick, Zachary -- 28

Representatives present and not voting were: Butt, Doss, McCormick, Pody, Powers -- 5

A motion to reconsider was tabled.

JOURNAL CORRECTION

Without objection, the Speaker requested that the Journal reflect that Rep. Dunlap voted "no" on the motion to adopt the Conference Committee Report on **House Bill No. 1276**.

3505

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

MESSAGE CALENDAR, CONTINUED

HOUSE ACTION ON SENATE AMENDMENTS

**\*House Bill No. 1472** -- Wills - As introduced, clarifies that witness signatures affixed to a self-proving affidavit written on a will are to be considered signatures to the will if necessary to prove the will's execution. - Amends TCA Title 32. by \*Lamberth, \*Marsh. (SB1560 by \*Haile, \*Bowling)

**Senate Amendment No. 2**

AMEND House Bill No. 1472 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 32-1-104, is amended by designating the existing language as subsection (a) and adding the following as a new subsection (b):

(b) For wills executed prior to July 1, 2016, to the extent necessary for the will to be validly executed, witness signatures affixed to an affidavit meeting the requirements of § 32-2-110 shall be considered signatures to the will, provided that:

(1) The signatures are made at the same time as the testator signs the will and are made in accordance with subsection (a); and

(2) The affidavit contains language meeting all the requirements of subsection (a). If the witnesses signed the affidavit on the same day that the testator signed the will, it shall be presumed that the witnesses and the testator signed at the same time, unless rebutted by clear and convincing evidence. If, pursuant to this subsection (b), witness signatures on the affidavit are treated as signatures on the will, the affidavit shall not also serve as a self-proving affidavit under § 32-2-110. Nothing in this subsection shall affect, eliminate, or relax the requirement in subsection (a) that the testator sign the will.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring.

Rep. Lamberth moved that the House concur in Senate Amendment No. 2 to **House Bill No. 1472**, which motion prevailed by the following vote:

Ayes ..... 94  
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper,

Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Windle, Womick, Zachary, Madam Speaker Harwell -- 94

A motion to reconsider was tabled.

#### HOUSE ACTION ON SENATE AMENDMENTS

**\*House Bill No. 1556** -- Tourist Development, Dept. of - As introduced, transfers primary administrative responsibilities for the Tennessee Adventure Tourism and Development Act of 2011 from the department of economic and community development to the department of tourist development. - Amends TCA Title 11, Chapter 11. by \*McCormick, \*Brooks K, \*Howell. (SB2560 by \*Norris, \*Overbey, \*Yager, \*Roberts, \*Stevens)

#### Senate Amendment No. 1

AMEND House Bill No. 1556 by inserting the following new section immediately preceding the last section and renumbering the subsequent section accordingly:

SECTION \_\_\_\_\_. Any certification for an adventure tourism district that was issued by the department of economic and community development, and that was in effect on July 1, 2015, shall not expire until the earlier of the date that the department of tourist development issues a new certification or approval for such district or one (1) year following the date that the department of tourist development promulgates rules or adopts official guidance concerning the process whereby local governments may apply for certification or approval for an adventure tourism district.

Rep. Howell moved that the House concur in Senate Amendment No. 1 to **House Bill No. 1556**, which motion prevailed by the following vote:

Ayes ..... 93

Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Windle, Womick, Zachary, Madam Speaker Harwell -- 93

A motion to reconsider was tabled.

#### HOUSE ACTION ON SENATE AMENDMENTS

**\*House Bill No. 1679** -- Attorneys at Law - As introduced, requires that attorneys' fees be awarded for state and local government employees when such employees are sued in individual capacity and are the prevailing party. - Amends TCA Title 29, Chapter 20. by \*Lamberth. (SB2377 by \*Bell)

#### Senate Amendment No. 1

AMEND House Bill No. 1679 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 29, Chapter 20, is amended by adding the following language as a new section:

(a) Notwithstanding § 20-12-119(c)(5)(A), if a claim is filed with a Tennessee or federal court, the Tennessee claims commission, board of claims, or any other judicial body established by the state or by a governmental entity of the state, against an employee of the state or of a governmental entity of the state in the person's individual capacity, and the claim arises from actions or omissions of the employee acting in an official capacity or under color of law, and that employee prevails in the proceeding as provided in this section, then the

court or other judicial body on motion shall award reasonable attorneys' fees and costs incurred by the employee in defending the claim filed against the employee.

(b) For purposes of this section, the employee shall be the prevailing party if:

(1) The employee successfully defends the claim alleging individual liability; or

(2) The claim of individual liability is dismissed with or without prejudice after forty-five (45) days have elapsed after an answer or other responsive pleading is filed in which the employee asserts the employee was not acting within the employee's individual capacity at the time of the matters stated in the complaint.

(c) The inclusion of an additional claim against the employee in official capacity in the same proceeding shall not preclude the employee from obtaining the remedies provided in this section that are related to the claim against the employee in individual capacity.

(d) Attorneys' fees and costs shall be paid to the state, or a governmental entity of the state, if either the state or the governmental entity represents, or retains and agrees to pay for counsel to represent, the employee sued in an individual capacity. If the state has not made such agreement, the attorneys' fees and costs shall be paid to the employee, or to counsel representing the employee. Attorneys' fees shall be calculated at a reasonable rate paid to attorneys of similar experience in private practice in the county where the proceeding is initiated.

SECTION 2. This act shall take effect June 1, 2016, the public welfare requiring it, and is applicable to claims filed on or after that date.

Rep. Lamberth moved that the House concur in Senate Amendment No. 1 to **House Bill No. 1679**, which motion prevailed by the following vote:

Ayes ..... 80  
Noes..... 15

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Coley, Daniel, DeBerry, Doss, Dunn, Durham, Eldridge, Faison, Farmer, Forgety, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matlock, McCormick, McDaniel, McManus, Mitchell, Moody, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Swann, Terry, Todd, Travis, Van Huss, Weaver, White D., White M., Windle, Womick, Zachary, Madam Speaker Harwell -- 80

Representatives voting no were: Armstrong, Clemmons, Cooper, Dunlap, Favors, Fitzhugh, Gilmore, Hardaway, Jones, Miller, Parkinson, Pitts, Stewart, Towns, Turner -- 15

A motion to reconsider was tabled.

### REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following members desire to change their original stand from "aye" to "no" on the motion to concur in Senate Amendment No. 1 to **House Bill No. 1679** and have this statement entered in the Journal: Reps. Akbari and Camper.

### MESSAGE CALENDAR, CONTINUED

#### HOUSE ACTION ON SENATE AMENDMENTS

**\*House Bill No. 1888** -- Health, Dept. of - As introduced, creates the "Emergency Medical Services Personnel Licensure Compact." - Amends TCA Title 4, Chapter 29 and Title 68, Chapter 140. by \*Keisling, \*Hardaway, \*Terry. (SB2234 by \*Hensley)

#### Senate Amendment No. 2

AMEND House Bill No. 1888 by deleting SECTION 2 immediately preceding the effective date section and substituting instead the following:

SECTION 2. The chair of the emergency medical services board elected pursuant to § 68-140-303(e) is directed to notify the executive secretary of the Tennessee code commission and the chairs of the government operations committees of the senate and of the house of representatives by letter of the effective date for the compact enacted by this act.

Rep. Keisling moved that the House concur in Senate Amendment No. 2 to **House Bill No. 1888**, which motion prevailed by the following vote:

Ayes ..... 93  
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Windle, Womick, Zachary, Madam Speaker Harwell -- 93



A motion to reconsider was tabled.

### UNFINISHED BUSINESS

#### RULES SUSPENDED

Rep. Todd moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 851 out of order, which motion prevailed.

**House Joint Resolution No. 851** -- Memorials, Recognition - Pat Kerr Tigrett. by \*Todd.

On motion, the rules were suspended for the immediate consideration of the resolution.

Rep. Todd moved that all members voting aye on House Joint Resolution No. 851 be added as co-prime sponsors with the Shelby County delegation listed first, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Reps. Butt, Holt, Pody, Ragan and Womick.

On motion of Rep. Todd, the resolution was adopted.

A motion to reconsider was tabled.

### BILLS WITHDRAWN

On motion of Rep. McCormick, **House Bill No. 2307** was recalled from the Local Government Committee and withdrawn from the House.

#### RULES SUSPENDED

Rep. Mitchell moved that the rules be suspended for the purpose of introducing House Resolution No. 249 out of order, which motion prevailed.

**House Resolution No. 249** -- Memorials, Recognition - Andrea Zelinski. by \*Stewart, \*Mitchell, \*Pitts, \*Camper, \*Clemmons, \*Gilmore, \*Miller, \*Shepard, \*Beck, \*Jernigan.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Mitchell, the resolution was adopted.

A motion to reconsider was tabled.

#### RULES SUSPENDED

Rep. Parkinson moved that the rules be suspended for the purpose of introducing House Resolution No. 246 out of order, which motion prevailed.

**House Resolution No. 246** -- Memorials, Death - Nytosha Cunningham Jackson. by \*Parkinson.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Parkinson, the resolution was adopted.

A motion to reconsider was tabled.

### **SPONSORS ADDED**

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Joint Resolution No. 718** Rep. Terry as prime sponsor.

**House Bill No. 1712** Rep. Terry as prime sponsor.

**House Bill No. 1736** Reps. Moody, T. Hill, Kane, Powers, Ragan, Williams, Gravitt, Doss, Holsclaw, Goins, Littleton, Sanderson, Sparks, Zachary, Butt, Van Huss, M. Hill, DeBerry, Keisling, McCormick, Dunn, Carter, Casada, Eldridge, Reedy, Carr, Halford and Durham as prime sponsors.

**House Bill No. 1779** Rep. Hardaway as prime sponsor.

**House Bill No. 2105** Rep. Fitzhugh as prime sponsor.

**House Bill No. 2171** Reps. Fitzhugh and Shaw as prime sponsors.

**House Bill No. 2195** Rep. Hardaway as prime sponsor.

**House Bill No. 2248** Reps. Lollar and Hulsey as prime sponsors.

### **SPONSORS REMOVED**

On motion, Rep. Reedy was removed as sponsor of **House Bill No. 2022**.

### **MESSAGE FROM THE SENATE** **April 6, 2016**

MADAM SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 302, 412, 1530, 1546, 1574, 1801, 1824, 2027, 2043, 2101, 2122, 2172, 2544 and 2668; For the signature of the Speaker.

3512

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

RUSSELL A. HUMPHREY, Chief Clerk

**SIGNED  
April 6, 2016**

The Speaker announced that she had signed the following: Senate Bills Nos. 302, 412, 1530, 1546, 1574, 1801, 1824, 2027, 2043, 2101, 2122, 2172, 2544 and 2668.

JOE MCCORD, Chief Clerk

**SIGNED  
April 6, 2016**

The Speaker announced that she had signed the following: House Bills Nos. 207, 458, 615, 1416, 1537, 1602, 1686, 1764, 1789, 1872, 2037, 2095, 2176, 2573 and 2578.

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE  
April 6, 2016**

MADAM SPEAKER: I am directed to return to the House, House Bills Nos. 1657, 2068, 2625, 2636, 2641 and 2642; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE  
April 6, 2016**

MADAM SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 910, 1745, 1848, 1859, 1971, 2143 and 2583; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**Senate Bill No. 910** -- Public Records - As introduced, specifies that all credit card account numbers and PIN numbers in the possession of the state and local governments are confidential, rather than only those numbers that come from persons doing business with the state or a local government. - Amends TCA Title 10, Chapter 7, Part 5. by \*Johnson. (\*HB876 by \*Dunn)

3513

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

**Senate Bill No. 1745** -- Holidays and Days of Special Observance - As introduced, establishes the day after Thanksgiving Day as Native American Heritage Day in Tennessee. - Amends TCA Title 15. by \*Crowe. (\*HB1707 by \*Hardaway, \*Casada, \*Terry, \*Mitchell, \*Towns, \*McCormick, \*Gilmore, \*Turner, \*Shaw)

**Senate Bill No. 1848** -- Elder Abuse - As introduced, revises requirements for criminal background checks in certain health care facilities; convenes working groups on elder abuse by the department of human services, the commission on aging and disability, and the district attorney general conference. - Amends TCA Title 4; Title 33; Title 47; Title 68 and Title 71. by \*Gardenhire. (\*HB1824 by \*Carr )

**\*Senate Bill No. 1859** -- Criminal Procedure - As introduced, includes certain persons convicted of a Class D felony for theft of property or services, if the value of the property or services obtained is \$1,000 or more but less than \$10,000 as an offense that may be expunged from a person's public record. - Amends TCA Title 39 and Title 40. by \*Tate, \*Harris. (HB2026 by \*Love, \*Camper, \*Favors, \*Gilmore)

**Senate Bill No. 1971** -- Highway Signs - As introduced, grants the department of transportation exclusive jurisdiction over the design, erection, installation, and maintenance of tourist oriented directional signs ("TODS signs"), including jurisdiction over TODS signs on state highways in incorporated municipalities; requires removal of signs purporting to be TODS signs that were, or are, installed without lawful authorization; requires department to establish TODS permit system and inventory. - Amends TCA Title 54, Chapter 5. by \*Tracy. (\*HB2064 by \*Daniel)

**Senate Bill No. 2143** -- Motor Vehicles - As introduced, removes restriction on medium speed vehicles that they must be operated on roads with posted speed limits of 40 mph or less; authorizes vehicles with top speeds over 30 mph to be classified as medium speed vehicles. - Amends TCA Title 55. by \*Niceley. (\*HB2185 by \*Hill T)

**Senate Bill No. 2583** -- Annexation - As introduced, authorizes counties and municipalities to amend growth plans as often as necessary. - Amends TCA Title 6, Chapter 58. by \*Norris. (\*HB2587 by \*Todd)

**MESSAGE FROM THE SENATE**  
**April 6, 2016**

MADAM SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 572, 573, 585, 686, 749, 750, 751, 752, 753, 754 and 764; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE**  
**April 6, 2016**

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This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 394, 463, 466, 560, 561, 586, 587, 673, 674, 675, 680, 681, 682, 683, 685, 686, 687 and 688; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**SIGNED  
April 6, 2016**

The Speaker announced that she had signed the following: Senate Joint Resolutions Nos. 394, 463, 466, 560, 561, 586, 587, 673, 674, 675, 680, 681, 682, 683, 685, 686, 687 and 688.

JOE MCCORD, Chief Clerk

**MESSAGE FROM THE SENATE  
April 6, 2016**

MADAM SPEAKER: I am directed to return to the House, House Bills Nos. 1826, 1897, 1989 and 2335; substituted for Senate Bill on same subject, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**ENROLLED BILLS  
April 6, 2016**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolutions Nos. 241, 242, 243, 244, 246 and 249; and find same correctly enrolled and ready for the signature of the Speaker.

GREG GLASS, Chief Engrossing Clerk

**SIGNED  
April 6, 2016**

The Speaker announced that she had signed the following: House Resolutions Nos. 241, 242, 243, 244, 246 and 249.

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE  
April 6, 2016**

MADAM SPEAKER: I am directed to return to the House, House Bill No. 2064; substituted for Senate Bill on same subject, amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**ENGROSSED BILLS**

3515

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**April 6, 2016**

MADAM SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bills Nos. 2119, 2139, 2256, 2391, 2633 and 2652; also House Joint Resolutions Nos. 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 832, 833, 834 and 851.

GREG GLASS, Chief Engrossing Clerk

**ENROLLED BILLS**

**April 6, 2016**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 1472, 1556, 1679, 1826, 1888, 1897, 1989 and 2335; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Chief Engrossing Clerk

**ENROLLED BILLS**

**April 6, 2016**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolutions Nos. 572, 573, 585, 686, 749, 750, 751, 752, 753, 754 and 764; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Chief Engrossing Clerk

**SIGNED**

**April 6, 2016**

The Speaker announced that she had signed the following: House Joint Resolutions Nos. 572, 573, 585, 686, 749, 750, 751, 752, 753, 754 and 764.

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE**

**April 6, 2016**

MADAM SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 481, 500, 717, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747 and 748; signed by the Speaker.

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RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE**

**April 6, 2016**

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 425, 436, 447, 450, 539, 540, 541, 542, 543, 544, 549, 565, 566, 567, 570, 677 and 679; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**SIGNED**

**April 6, 2016**

The Speaker announced that she had signed the following: Senate Joint Resolutions Nos. 425, 436, 447, 450, 539, 540, 541, 542, 543, 544, 549, 565, 566, 567, 570, 677 and 679.

JOE MCCORD, Chief Clerk

**REPORT OF CHIEF ENGROSSING CLERK**

**April 6, 2016**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 1931 and 2647; also House Joint Resolutions Nos. 481, 500, 717, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747 and 748; for his action.

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE GOVERNOR**

**April 6, 2016**

MADAM SPEAKER: I am directed by the Governor to return herewith: House Joint Resolutions Nos. 481, 500, 717, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747 and 748; with his approval.

DWIGHT E. TARWATER, Legal Counsel to the Governor

**ROLL CALL**

The roll call was taken with the following results:

Present..... 93

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Representatives present were Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Turner, Van Huss, Weaver, White D., White M., Windle, Womick, Zachary, Madam Speaker Harwell -- 93

**RECESS**

On motion of Rep. McCormick, the House stood in recess until 9:00 a.m., Thursday, April 7, 2016.